

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky November 13, 2014

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on November 13, 2014 at 6:00 P.M. Present were Vice-Mayor Gorton in the chair presiding, in the absence of Mayor Gray, and the following members of the council: Council Members Akers, Beard, Clarke, Ellinger, Farmer, Ford, Henson, Kay, Lawless, Mossotti, Myers, Scutchfield, and Stinnett. Absent was Council Member Lane.

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

Resolutions No. 588-2014 through 615-2014, and Ordinances No. 131-2014 through 133-2014, inclusive, were reported as having been signed and published, and ordered to record.

Ms. Gorton asked Mr. Bob Babbage to join her at the podium. She spoke about diabetes and diabetes awareness. She read a Proclamation in honor of World Diabetes Day, proclaimed November, 2014 as Diabetes Month, and November 14, 2014 as World Diabetes Day in Lexington.

Mr. Babbage made comments about diabetes, and recognized all those in attendance at the meeting who were involved in furthering diabetes awareness. He thanked everyone for the recognition.

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Ms. Gorton asked Ms. Therese Warrick, Dept. of Law, to join her at the podium. Ms. Warrick is a member of the Kentucky Paralegal Association. She read a Proclamation in honor of the 26th Annual Kentucky Paralegal Conference, being held in Lexington, and proclaimed November 14, 2014 Paralegal Day in Lexington.

Ms. Warrick thanked everyone for the recognition, and introduced Ms. Melissa Reynolds and Ms. Leslie Smith of the Kentucky Paralegal Association.

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An Ordinance amending Section 14-97(6) of the Code of Ordinances related to smoking indoors to amend the definition of smoke or smoking to include electronic smoking devices, including but not limited to, e-cigarettes or e-cigs; creating Section 14-97(8) of the Code of Ordinances related to smoking indoors to define electronic smoking device was on the docket for second reading.

Ms. Gorton announced that she was aware of several people in the audience who intended to make public comment on the ordinance, and recognized those individuals to speak at that time.

Dr. Ellen Hahn, Blairmore Court, Professor with the University of Kentucky College of Nursing, spoke about the use of e-cigarettes, and air quality in Lexington. She thanked the Council for updating the smoking ordinance to include e-cigarettes.

Mr. Scott White, Chairperson of the Fayette County Board of Health, spoke in favor of the ordinance on behalf of the Health Department.

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

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

Nay: -----0

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

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

Nay: -----0

An Ordinance amending Article 21-7(a) of the Zoning Ordinance to allow as a minor amendment, the reduction of surplus parking spaces depicted on the original development plan. (Urban County Planning Commission).

An Ordinance amending Section 22-24 of the Code of Ordinances to provide that all full-time Non-Sworn Unclassified Civil Service Employees and Deputies in the Office of the Coroner meeting the criteria set forth in Section 21-27(h) of the Code of Ordinances shall receive a hazardous duty salary supplement; effective upon date of passage.

An Ordinance pursuant to Section 2-1(a) of the Code of Ordinances of the Lexington-Fayette Urban County Government adopting a schedule of meetings for the Council for the calendar year 2015.

An Ordinance pursuant to Sections 3.02(24) and 6.12 of the Charter of the Lexington-Fayette Urban County Government renaming the Div. of Environmental Policy to the Div. of Environmental Services; abolishing two (2) civil service positions of Public Service Worker Sr., Grade 509N, in the Div. of Parks and Recreation and one (1) civil service position of Equipment Operator Sr., Grade 512N, in the Div. of Streets and Roads, and creating two (2) civil service positions of Public Service Worker Sr., Grade 509N, and one (1) civil service position of Equipment Operator Sr., Grade 512N, both in the Div. of Environmental Services; appropriating funds pursuant to Schedule No. 23; effective upon 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. 20.

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

An Ordinance of the Lexington-Fayette Urban County Government authorizing the issuance of its (i) Various Purpose General Obligation Bonds, Series 2014B, in one or more subseries, in an aggregate principal amount not to exceed \$29,000,000; and (ii) Energy Conservation General Obligation Bonds, Series 2014C (Federally Taxable - Qualified Energy Conservation Bond - direct payment to the issuer) in a principal amount not to exceed \$3,000,000; approving a form of each series of Series 2014 Bonds; authorizing designated officers to execute and deliver the Series 2014 Bonds; authorizing and directing the filing of notice with the State Local Debt Officer; providing for the payment and security of the series 2014 Bonds; creating a Sinking Fund; creating a Bond Payment Fund for each series of Series 2014 Bonds; authorizing acceptance of the bid(s) of the bond purchaser(s) of the Series 2014 Bonds; and repealing inconsistent ordinances.

An Ordinance of the Lexington-Fayette Urban County Government adopting policies regarding post-issuance compliance with federal tax and securities laws.

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. 22.

An Ordinance amending the authorized strength by abolishing one (1) Classified Civil Service Position of Staff Assistant, Grade 508N, and creating one (1) Classified Civil Service Position of Logistics Officer, Grade 508N, in the Div. of Emergency Management/911, appropriating funds pursuant to Schedule No. 21.

An Ordinance amending the authorized strength by abolishing one (1) Classified Civil Service Position of Public Service Worker, Grade 507N, and creating one (1) Classified Civil Service Position of Equipment Operator Sr., Grade 512N, and reclassifying the incumbent in the Div. of Waste Management, and appropriating funds pursuant to Schedule No. 27.

An Ordinance amending the authorized strength by abolishing two (2) Unclassified Civil Service Positions of Administrative Officer P/T, Grade 523E, and creating one (1) Classified Civil Service Position of Administrative Specialist Sr., Grade 516N, in the Dept. of Environmental Quality and Public Works, appropriating funds pursuant to Schedule No. 25.

An Ordinance amending the authorized strength by abolishing one (1) Unclassified Civil Service Position of Public Service Worker, Grade 507N, and creating one (1) Unclassified Civil Service Position of Resource Recovery Operator, Grade 513N, and reclassifying the incumbent in the Div. of Waste Management, and appropriating funds pursuant to Schedule No. 26.

An Ordinance amending the authorized strength by abolishing one (1) Unclassified Civil Service Position of Social Worker Sr., Grade 516E, and creating one (1) Unclassified Civil Service Position of Social Services Coordinator, Grade 520E, in the Offices of Circuit Judges, effective upon passage of Council.

An Ordinance amending Section 2-465 of the Code of Ordinances related to the Corridors Commission to amend the voting membership to be the chairperson, or his/her designee, of the Tree Board instead of a representative of the Tree Board, changing Federated Garden Club to Lexington Council Garden Club, and changing Bluegrass Pride to Bluegrass Greensource; changing the non-voting membership from eight (8) to seven (7), changing the representative of the Depts. of Public Works and Environmental Quality to the Dept. of Environmental Quality and Public Works.

An Ordinance pursuant to Sections 3.02(24) and 6.12 of the Charter of the Lexington-Fayette Urban County Government creating the Div. of Aging and Disability Services; abolishing the following Classified Civil Service Positions: one (1) position of Director of Aging Services, Grade 527E, one (1) position of Social Worker Sr., Grade 516E, and one (1) position of Staff Assistant Sr., Grade 510N, all in the Dept. of Social Services, and creating the following Classified Civil Service Positions of: one (1) position of Director of Aging and Disability Services, Grade 527E, one (1) position of Social Worker Sr., Grade 516E, and one (1) position of Staff Assistant Sr., Grade 510N, all in the Div. of Aging and Disability Services; and abolishing the following Unclassified Civil Service Positions: one (1) position of Aging Services Program Manager, Grade

520E, two (2) positions of Program Supervisor P/T, Grade 519N, one (1) position of Social Worker, Grade 513E, one (1) position of Staff Assistant Sr., Grade 510N, one (1) position of Custodial Worker P/T, Grade 505N, and two (2) positions of Van Driver P/T, Grade 505N, all in the Dept. of Social Services, and creating the following Unclassified Civil Service Positions: one (1) position of Aging Services Program Manager, Grade 520E, two (2) positions of Program Supervisor P/T, Grade 519E, one (1) position of Social Worker, Grade 513E, one (1) position of Custodian P/T, Grade 505N, and two (2) positions of Van Driver P/T, Grade 505N, all in the Div. of Aging and Disability Services, transferring all the incumbents; effective July 1, 2015.

An Ordinance closing Washington Ave.; determining that the property owner abutting the street to be closed has been identified, provided with written notice of the proposed closing, and consented thereto in writing; and authorizing the Mayor, on behalf of the Urban County Government, to execute a quitclaim deed transferring the former right-of-way to the abutting owner, subject to the reservation of easements and restrictions.

An Ordinance relating to the Summit Development Area (the "Development Area") established by Ordinance No. 116-2013 of the Lexington-Fayette Urban County Government (the "Development Area Ordinance"); approving a First Amendment to the Local Participation Agreement applicable to the Development Area; approving a First Amendment to the Master Development Agreement relating to the Summit Lexington Project within the Development Area; authorizing the Mayor and other staff of the Lexington-Fayette Urban County Government to execute all documents in accordance herewith for the development of the Development Area consistent with the amendments to the Local Participation Agreement and the Master Development Agreement as provided herein.

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Upon motion of Mr. Clarke, seconded by Mr. Farmer, and approved by unanimous vote, an Ordinance creating a ten (10) year, non-exclusive franchise for a cable television system within the confines of the Lexington-Fayette Urban County Government said franchise providing for: full financial and shareholder disclosure; indemnification by the franchise grantee and adequate insurance coverage; a \$50,000 letter of credit to ensure franchise compliance; payment to the Government;

requirements for providing data, testing the system, and meeting minimum operational standards; conditions of street occupancy; use of poles; minimum construction standards; minimum requirements for extending the system; access to community facilities; public, educational and government access channels; emergency alert override; antenna switches; two hour stand-by power; testing and analyzing the system and proof of performance; establishment of consumer services standards; establishment of standards for billing practices; establishment of a complaint procedure; refunds to subscribers for failure of service; rate regulation; council approval required for a transfer of control or assignment of the franchise; standards and procedures established for forfeiture of the franchise, assessment of penalties and valuation of the system; foreclosure and receivership provisions; reserving Government rights in the franchise; assurances of nondiscrimination; protections of subscriber privacy; administrative supervision of the franchise; government access to property and records was placed on the docket, given first reading, and ordered placed on file one week for public inspection.

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Upon motion of Mr. Beard, seconded by Ms. Henson, and approved by unanimous vote, the following resolutions were removed from the docket.

A Resolution relating to Lexington-Fayette Urban County Government denying approval of the transfer of control of Time Warner Cable to Comcast Corporation.

A Resolution relating to Lexington-Fayette Urban County Government denying approval of the transfer of control of Comcast Corp. to Charter Communications, Inc.

Ms. Gorton spoke about the Time Warner Cable issue, and what had transpired. She thanked her Council colleagues and LFUCG employees, especially those who had served on the negotiating team, for their hard work and patience in working through all the issues.

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

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

Nay: -----0

A Resolution accepting the bid of Free Contracting, Inc., in the amount of \$361,124, for the Blue Sky Treatment Plant Demolition and Lagoon Dewatering, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute an Agreement with Free Contracting, Inc., related to the bid.

A Resolution accepting the bid of Ron Cooper Co., Inc., establishing a price contract for Record Keeping Supplies for the Fayette County Clerk.

A Resolution accepting the bid of Rio Grande Fence Co., Inc., in the amount of \$145,800, for New Chain Link Dugouts - Various Locations 2014, for the Div. of Parks and Recreation, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Rio Grande Fence Company, Inc., related to the bid.

A Resolution accepting the bid of Langley & Taylor Pool Corp., Inc., in the amount of \$49,885, for Sand Filter System for Shillito Main Pool, for the Div. of Parks and Recreation.

A Resolution ratifying the Probationary Civil Service Appointments of: Ada Jennings, Administrative Specialist Principal, Grade 518E, \$2,074.40 biweekly, effective November 3, 2014 and Christopher Phillip, Administrative Specialist Sr., Grade 516N, \$18.599 hourly, effective November 17, 2014, both in the Div. of Waste Management, Robert Allen, Deputy Director, Grade 524E, \$2,269.12 biweekly in the Div. of Streets and Roads, and Cyndra Brown, Grants Manager, Grade 523E, \$2,276.81 biweekly in the Div. of Grants and Special Programs, both effective October 27, 2014; and William Faust, Fleet Operations Supervisor, Grade 519E, \$2,290.86 biweekly in the Div. of Facilities and Fleet Management, effective November 13, 2014; ratifying the permanent

Civil Service Appointment of: Melissa Murphy, Attorney Sr., Grade 528E, \$2,672.05 biweekly in the Dept. of Law, effective October 7, 2014.

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 Loudon Ave. Sidewalk Project at a cost not to exceed \$15,000.

A Resolution changing the street name of 904, 905, 908, 909, 912, 913, 916, 917, 921, 925, 929, 933, 937, and 941 Dawson Springs Way to 904, 905, 908, 909, 912, 913, 916, 917, 921, 925, 929, 933, 937, and 941 Dawson Creek Way, all effective thirty days from passage.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute standardized Memoranda of Agreement with recycling agencies, for processed materials at LFUCG's Materials Recovery Facility.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2 to the Contract With T.E.M. Group, Inc., for Emergency Generator Connections, increasing the contract price by the sum of \$6,309.50 from \$373,067.00 to \$379,376.50.

A Resolution authorizing 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 \$391,424 Federal funds, and are for the upgrade or replacement of the exhaust extraction systems in all LFUCG fire stations.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Contract with Fayette County Public Schools, for the operation of Preschool Classrooms at the Family Care Center, at no cost to the Urban County Government.

A Resolution approving the payment of \$20,000 to the Ky. Chamber of Commerce for the Urban County Government's sponsorship of the Ky. Manufacturing and Innovation Conference, a BEAM initiative.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Office of Homeland Security, which Grant funds are in the amount of \$34,000 Federal funds, are for the purchase of equipment for the Hazardous Devices Unit, 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 Div. of Fire and Emergency Services, on behalf of the Urban County Government, to purchase thermal imaging cameras from Bullard Thermal Imagers, a sole source provider, at a cost not to exceed \$31,500.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Office of Homeland Security, which Grant funds are in the amount of \$70,000 Federal funds, are for the purchase of equipment for the Div. of Fire and Emergency Services first responders, 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 Professional Services Agreement with Victoria Nash, as a Sexual Assault Nurse Examiner, to provide on-call forensic examinations under the Sexual Assault Nurse Examiner Program, at a cost not to exceed \$40 for each scheduled on-call period, \$230 for each completed forensic examination, \$50 per case for professional testimony in court, and the reasonable cost of medical liability insurance.

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 2602 and 2606 Mable Ln.

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A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Civil Service Appointments: Russell Mehnert, Engineering Technician, Grade 514N, \$18.416 hourly in the Div. of Engineering, effective December 1, 2014, Robert Ballard, Arborist Technician, Grade 515N, \$18.923 hourly in the Div. of Environmental Services, effective upon passage of Council, Erin Dixon, Stores Clerk, Grade 508N, \$13.724 hourly in the Div. of Streets and Roads, effective upon passage of Council, Cameron Fogle, Public Service Worker Sr., Grade

509N, \$13.383 hourly, Dustin Himes, Public Service Worker Sr., Grade 509N, \$13.592 hourly, and Ronnie Searight, Public Service Worker Sr., Grade 509N, \$13.669 hourly all in the Div. of Water Quality, effective upon passage of Council, Adam McKinney, Trades Worker Sr., Grade 515N, \$17.743 hourly, Darryl Baker, Resource Recovery Operator, Grade 513N, \$17.941 hourly, Andy Ingram, Resource Recovery Operator, Grade 513N, \$17.740 hourly, and Michael Walker, Public Service Worker, Grade 507N, \$12.059 hourly all in the Div. of Waste Management, effective upon passage of Council, Jessica Trumbo, Social Worker, Grade 513E, \$1,327.61 biweekly in the Div. of Adult Services, effective December 1, 2014, Michelle Gallo, Computer Systems Manager, Grade 524E, \$2,747.88 biweekly, and Barry Scanlan, Electronic Technician, Grade 514N, \$18.838 hourly both in the Div. of Police, effective December 1, 2014, and Jessica Walker, Administrative Officer, Grade 523E, \$2,276.82 biweekly in the Dept. of General Services, effective December 1, 2014.; authorizing the Div. of Human Resources to make conditional offers to the following Probationary Sworn Appointments: Aundria Burkhart, Police Sergeant, Grade 315N, \$28.828 hourly in the Div. of Police, effective November 17, 2014, Kelly Smith, Fire Captain, Grade 316N, \$23.160 hourly, Scott Butler, Fire Lieutenant, Grade 315N, \$17.860 hourly, and Steven Buxton, Fire Lieutenant, Grade 315N, \$17.860 hourly all in the Div. of Fire and Emergency Services, effective October 20, 2014; and authorizing the Div. of Human Resources to make a conditional offer to the following Unclassified Civil Service Appointment: David Loney, Administrative Officer - PT, Grade 523E, \$2,888.00 biweekly in the Div. of Waste Management, effective upon passage of Council was on the docket for first reading.

Upon motion of Ms. Henson, seconded by Mr. Beard, and approved by unanimous vote, the resolution was amended to delete the conditional offer to the Probationary Civil Service Appointment of Erin Dixon, Stores Clerk, Grade 508N, \$14,724 hourly in the Div. of Streets and Roads.

A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Civil Service Appointments: Russell Mehnert, Engineering Technician, Grade 514N, \$18.416 hourly in the Div. of Engineering, effective December 1, 2014, Robert Ballard, Arborist Technician, Grade 515N, \$18.923 hourly in the Div. of Environmental Services, effective upon passage of Council,

Cameron Fogle, Public Service Worker Sr., Grade 509N, \$13.383 hourly, Dustin Himes, Public Service Worker Sr., Grade 509N, \$13.592 hourly, and Ronnie Searight, Public Service Worker Sr., Grade 509N, \$13.669 hourly all in the Div. of Water Quality, effective upon passage of Council, Adam McKinney, Trades Worker Sr., Grade 515N, \$17.743 hourly, Darryl Baker, Resource Recovery Operator, Grade 513N, \$17.941 hourly, Andy Ingram, Resource Recovery Operator, Grade 513N, \$17.740 hourly, and Michael Walker, Public Service Worker, Grade 507N, \$12.059 hourly all in the Div. of Waste Management, effective upon passage of Council, Jessica Trumbo, Social Worker, Grade 513E, \$1,327.61 biweekly in the Div. of Adult Services, effective December 1, 2014, Michelle Gallo, Computer Systems Manager, Grade 524E, \$2,747.88 biweekly, and Barry Scanlan, Electronic Technician, Grade 514N, \$18.838 hourly both in the Div. of Police, effective December 1, 2014, and Jessica Walker, Administrative Officer, Grade 523E, \$2,276.82 biweekly in the Dept. of General Services, effective December 1, 2014.; authorizing the Div. of Human Resources to make conditional offers to the following Probationary Sworn Appointments: Aundria Burkhardt, Police Sergeant, Grade 315N, \$28.828 hourly in the Div. of Police, effective November 17, 2014, Kelly Smith, Fire Captain, Grade 316N, \$23.160 hourly, Scott Butler, Fire Lieutenant, Grade 315N, \$17.860 hourly, and Steven Buxton, Fire Lieutenant, Grade 315N, \$17.860 hourly all in the Div. of Fire and Emergency Services, effective October 20, 2014; and authorizing the Div. of Human Resources to make a conditional offer to the following Unclassified Civil Service Appointment: David Loney, Administrative Officer - PT, Grade 523E, \$2,888.00 biweekly in the Div. of Waste Management, effective upon passage of Council was given first reading as amended.

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

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

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

Nay: -----0

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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 (i) Various Purpose General Obligation Bonds, Series 2014B in an amount not to exceed \$29,000,000; and (ii) Taxable Qualified Energy Conservation Bonds, Series 2014C in a principal amount not to exceed \$3,000,000 was given first reading.

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

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

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

Nay: -----0

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Cardinal Valley Elementary PTA, Inc. (\$1,000), for the Office of the Urban County Council, at a cost not to exceed the sum stated was given first reading.

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

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

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

Nay: -----0

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A Resolution accepting the response of Vision Engineering, LLC to RFP No. 47-2014 Town Branch Flood Plain Analysis, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Vision Engineering, LLC to provide services related to the RFP, at a cost estimated not to exceed \$109,770 was given first reading.

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

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

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

Nay: -----0

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A Resolution amending Section 3 of Resolution No. 582-2014, which ratified Permanent Sworn Appointments, changing the job title from Police Lieutenant to Police Sergeant, and changing the effective date from August 4, 2014 to August 24, 2014, effective retroactive to August 24, 2014 was given first reading.

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

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

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

Nay: -----0

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A Resolution accepting the bid of Roberts Heavy Duty Towing, Inc., establishing a price contract for towing of LFUCG vehicles, for the Div. of Facilities and Fleet Management was on the docket for first reading.

Mr. Farmer asked questions about the price contract in the resolution. Mr. Todd Slatin, Director of the Div. of Central Purchasing, spoke about the two towing contracts held by the LFUCG, and how this bid was related.

The resolution was given first reading and ordered placed on file one week for public inspection.

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

A Resolution accepting the bid of Wood Connection, LLC, in the amount of \$37,200, for Pump Station Building Renovation, for the Div. of Water Quality.

A Resolution accepting the bid of Riddell Construction, Inc., in an amount not to exceed \$597,720, for Roofing and HVAC Renovations at Coroner's Office and Community Action Council, for the Div. of Facilities and Fleet Management, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Riddell Construction, Inc., related to the bid.

A Resolution accepting the bids of SCINA Lawncare Services, LLC; DellaValle Management, Inc.; and ZKB Services, LLC, establishing price contracts for snow removal, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Mitchell Construction Management, Inc., in the amount of \$151,750, for Restroom Renovation at Fire Station No. 1, for the Div. of Fire and Emergency Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Mitchell Construction Management, Inc., related to the bid.

A Resolution accepting the bid of Grant's Excavating, Inc., in the amount of \$705,632.50, for the Walhampton Stormwater Improvements, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Grant's Excavating, Inc., related to the bid.

A Resolution accepting the bid of Angel Contracting, LLC, in the amount of \$28,600, for Installation of Water Fountains at Shillito Park Sports Field, for the Div. of Parks and Recreation.

A Resolution accepting the bid of Contemporary Galleries of WV, Inc. d/b/a CG Concepts, in the amount of \$269,632.56, for Furniture for 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 Contemporary Galleries of WV, Inc. d/b/a CG Concepts, related to the bid.

A Resolution accepting the bid of Clyde Armory, Inc., establishing a price contract for Submachine Guns and Accessories, for the Div. of Police.

A Resolution accepting the bid of Guarantee Pest Control, Inc., establishing a price contract for pest control services.

A Resolution ratifying the Probationary Civil Service Appointments of: William Crowders, Public Service Worker Sr., Grade 509N, \$13.218 hourly, and William

Gahafer, Public Service Worker Sr., Grade 509N, \$14.760 hourly, both in the Div. of Water Quality, effective November 17, 2014, Jonelle Patton, PSAP Manager, Grade 521E, \$2,313.76 biweekly, and Scott Osborne, PSAP Manager, Grade 521E, \$2,249.52 biweekly, both in the Div. of Emergency Management/911, effective November 17, 2014, and Harold Kouns, Recreation Manager, Grade 518E, \$1,801.36 biweekly in the Div. of Parks and Recreation, effective November 17, 2014; ratifying the Permanent Civil Service Appointments of: David Filiatreau, Traffic Engineer, Grade 520E, \$1,870.32 biweekly in the Div. of Traffic Engineering, effective November 5, 2014, Judith Cox, Telecommunicator, Grade 513N, \$16.066 hourly in the Div. of Emergency Management/911 effective November 5, 2014, Leticia Hagerman, Victim's Advocate, Grade 514N, \$17.159 hourly, effective August 10, 2014, and Joshua Roberts, Administrative Specialist, Grade 513N, \$16.066 hourly, effective November 5, 2014, both in the Div. of Police, Wanda Kean, Administrative Officer, Grade 523E, \$2,777.12 biweekly, effective September 24, 2014, Robert Morgan, Vehicle and Equipment Technician, Grade 514N, \$18.252 hourly, effective November 5, 2014, Michael Vaught, Vehicle and Equipment Technician, Grade 514N, \$20.280 hourly, effective November 5, 2014, Yvonne Gentry, Custodial Worker, Grade 505N, \$11.580 hourly, effective November 5, 2014, and Larry White, Custodial Worker, Grade 505N, \$12.780 hourly, effective November 5, 2014 all in the Div. of Facilities and Fleet Management; ratifying the Unclassified Civil Service Appointments of: Dolores Sanders, Social Services Coordinator, Grade 520E, \$1,808.55 biweekly in the Div. of Adult Services, effective November 17, 2014, and Zawadi Mubey, Custodial Worker - PT, Grade 505N, \$11.599 hourly in the Div. of Family Services, effective upon passage of Council; ratifying the lateral position change of Lauren Monahan, Program Specialist, Grade 513N, \$16.066 hourly in the Div. of Waste Management, effective November 3, 2014, and ratifying the Permanent Sworn Appointments of: Christopher Cooper, and Todd Iddings, Police Sergeant, Grade 315N, \$28.828 hourly both in the Div. of Police, effective August 24, 2014; and ratifying the council leave of Donald Walker, Resource Recovery Operator, Grade 513N, in the Div. of Waste Management, beginning September 25, 2014 through November 24, 2014.

A Resolution establishing a Residential Parking Permit Program for the first 300 feet of the east end of the 600 block of Mount Vernon Dr. from addresses 677/680 Mount Vernon Dr. to Kastle Rd. from 8:00 a.m. to 5:00 p.m., Monday through Friday.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to negotiate and execute a ten (10) year Grant Agreement pursuant to the Jobs Fund Program, with Sumitomo Electric Wiring Systems and/or its affiliates, in an amount not to exceed \$100,000, for the creation and retention of ten (10) new jobs with an average hourly wage of at least \$23.69, exclusive of benefits.

A Resolution authorizing and directing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-46, to designate the area along Southpoint Dr. and Clearwater Way as being prohibited to through trucks, and authorizing and directing the Div. of Traffic Engineering to install proper and appropriate signs in accordance with the designation.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Ky. Dept. of Juvenile Justice, for the purpose of developing a liaison relationship between Ky. Dept. of Juvenile Justice and the Lexington Day Treatment Center, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with the Drug Enforcement Administration, for use of the trunked radio system.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the U.S. Dept. of Justice, Drug Enforcement Administration, for the Tactical Diversion Task Force.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) (Final) to the Contract with Grant's Excavating, Inc., for the Green Acres/Hollow Creek Road Sanitary Sewer Replacement and Stream Rehabilitation Project, increasing the contract price by the sum of \$40,630 from \$658,725 to \$699,355.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Hazen & Sawyer, P.S.C., for detail design and construction management services for the relocation of the Hartland Trunk

Sewer in conjunction with a project of the Ky. Dept. of Highways, at a cost not to exceed \$46,430.

A Resolution authorizing 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 \$252,450.00 for the Polo Club Blvd. Right of Way Acquisition Phase, the acceptance of which obligates the Urban County Government for the expenditure of \$63,112.50 as a local match.

A Resolution accepting the response of Tetra Tech, Inc. to RFP 57-2014, and authorizing the mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Tetra Tech, Inc., to provide annual Program Management Services for Consent Decree Implementation and MS4 Permit Compliance, at a cost not to exceed \$816,000.

A Resolution terminating the moratorium imposed by Resolution No. 552-2000 and Resolution No. 5-2004, relating to sanitary sewer tap-on and building permit approvals for parcels located in the Blue Sky Rural Activity Center, effective upon passage.

A Resolution accepting the response of Group CJ, LLC to RFP 49-2014, and authorizing the directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Group CJ, LLC, for the Mobility Office Marketing Campaign for FY 2015, at a cost not to exceed \$51,500.

A Resolution authorizing the Div. of Water Quality to use the KeepStock Secure System by Grainger to automatically manage select inventory, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2 to the Contract with EOP Architecture for the Replacement Senior Citizen Center Design Project, increasing the contract price by the sum of \$1,740 from \$769,470 to \$771,210.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Temporary Right of Entry Agreement with Dennis Anderson Townley Park Apts., LLC, for temporary right of access at 149 Old Town Walk, at a cost not to exceed \$10,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with the Lexington History Museum, Inc., for various services related to the education of the public regarding the history of Lexington-Fayette County, at a cost not to exceed \$35,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Contract with Trustmark Life Insurance Co. of NY for Universal Life Insurance with Long Term Care, for the Div. of Human Resources, at no cost to the Lexington-Fayette Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Contract with Humana, Inc. for Whole Life and Term Life Voluntary Benefits Insurance, for the Div. of Human Resources, at no cost to the Lexington-Fayette Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the Contract with S.R. Holdings Co. d/b/a Signature Special Event Services, for the provision of a temporary kitchen during the kitchen floor construction at the Div. of Community Corrections, increasing the contract price by the sum of \$96,307.84 from \$183,819.75 to \$280,127.59.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Ky. Service Company, Inc., for work to be performed at Thoroughbred Fountain, increasing the contract price by the sum of \$4,132.56 from \$187,777.06 to \$191,909.62.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 3 to the Contract with Todd Johnson Construction, Co., for construction of the Meadows-Northland-Arlington Public Improvements Project, Phase 5A, for the Div. of Engineering, increasing the contract price by the sum of \$150,266.83 from \$1,476,330.16 to \$1,706,616.82, and appropriating funds.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Engineering Services Agreement with Stantec Consulting Services, Inc., for the Sanitary Sewer Capacity Assurance Plan (CAP) required by the Consent Decree, increasing the contract price by the sum of \$650,000 from \$1,012,500 to \$1,662,500.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Thomson Reuters for Westlaw on-line legal research and publications and Westlaw CLEAR Information Search Services, for the Dept. of Law, at a cost not to exceed \$38,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an extension of the current Memorandum of Understanding with the Internal Revenue Service, Criminal Investigations, to complete current investigations.

* * *
Upon motion of Mr. Clarke, seconded by Mr. Ellinger, and approved by unanimous vote, a Resolution designating the speed limit on Lyon Dr. between Man O' War Blvd. and Fort Harrods Dr. as 25 miles per hour, and authorizing and directing the Div. of Traffic Engineering to install proper and appropriate signs in accordance with the designation was placed on the docket, given first reading, and ordered placed on file one week for public inspection.

* * *
Upon motion of Mr. Ellinger, seconded by Mr. Myers, and passed by unanimous vote, the Communications from the Mayor were approved and are as follows: (1) Recommending the appointments of Mr. Steven Taylor, as 12th District resident representative (approved at 10/21/2014 Council Work Session), Mr. James Rebmann and Mr. Larry Rhodes and the reappointment of Ms. Faith Fiene to the Environmental Commission with terms to expire 10/1/2017, 10/1/2017, 10/1/2017 and 10/1/2018 respectively; (2) Recommending the appointment of Ms. Barbara Rubin and the reappointment of Mr. Edward Guinn to the Explorium of Lexington Board of Directors with terms to expire 7/1/2018. The term of Mr. Darius Fatemi is expired; (3) Recommending the appointment of Ms. Louise Caldwell-Edmonds, to fill the unexpired term of Mr. Mark York as the Environmental Quality representative, to the Keep Lexington Beautiful Commission with term to expire 2/1/2016; (4) Recommending the appointment of Ms. Susan Weatherford to the Library Board of Advisors with term to expire 1/17/2016. Ms. Weatherford will fill the unexpired term of Mr. Mike Burke; (5) Recommending the appointment of Mr. Michael Staats to the Senior Services Commission with term to expire 9/1/2018. The term of Ms. Barbara Cowden is expired;

and (6) Recommending the appointment of Mr. Thomas Stephens to the Special Events Commission with term to expire 6/1/2018. The term of Ms. Jana Curd is expired.

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The following Communications from the Mayor were received for information only: (1) Resignation of Robert Barry Minton, Friend of the Court, Grade 522N, Office of Circuit Judges, effective September 30, 2014. (2) Resignation of Christopher Tune, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective September 30, 2014; (3) Resignation of Chad Thomas May, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective October 9, 2014; (4) Resignation of Michael Marraccini, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective October 28, 2014; (5) Resignation of Shawn Michael Lowe, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective October 29, 2014; (6) Resignation of Mark Spencer Renfro, Fire Recruit, Grade 515N, Div. of Fire and Emergency Services, effective October 23, 2014; (7) Resignation of Charles Ashford, Fire Recruit, Grade 515N, Div. of Fire and Emergency Services, effective October 24, 2014; (8) Resignation of Cleveland Willoughby Jr., Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective October 17, 2014; (9) Resignation of Brandon James Miller, Police Officer-Trainee, Grade 311N, Div. of Police, effective October 22, 2014; (10) Resignation of Anthony Wayne Hockensmith II, Property & Evidence Technician, Grade 513N, Div. of Police, effective October 8, 2014; and (11) Termination of Andrea M. Tapia, Social Services, Grade 520N, Div. of Adult & Tenant Services, effective October 24, 2014.

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Ms. Lawless reminded everyone that a Special Council Meeting for Zone Change Public Hearing was scheduled for November 17, 2014 at 5:00 p.m. in the Council Chambers, pertaining to 3 properties on Euclid Avenue.

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Ms. Henson clarified a report she had made at the November 11, 2014 Council Work Session, regarding the Cardinal Valley Small Area Plan.

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Upon motion of Mr. Stinnett, seconded by Mr. Ellinger, and approved by unanimous vote, the meeting adjourned at 7:18 p.m.

Clerk of the Urban County Council