

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky

April 16, 2015

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on April 16, 2015 at 6:00 P.M. Present were Mayor Gray in the chair presiding, and the following members of the council: Council Members Lamb, Lane, Moloney, Mossotti, Scutchfield, Stinnett, Akers, Bledsoe, F. Brown, J. Brown, Evans, Farmer, Gibbs, Henson, and Kay.

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

Resolutions No. 124-2015 through 168-2015, and Ordinances No. 25-2015 through 28-2015, inclusive, were reported as having been signed and published, and ordered to record.

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Pastor Reggie Davis, Macedonia Baptist Church, gave the invocation

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Upon motion of Ms. Scutchfield, seconded by Ms. Henson, the Minutes of the March 9, March 19, and April 7, 2015 Council Meetings were approved by unanimous vote.

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The Mayor spoke about healthcare in Lexington and the hard work of our public health workers. He introduced Dr. Rice Leach, Lexington-Fayette County Health Dept., to talk about this year's Public Health Heroes.

Dr. Leach spoke about award recipient Ms. Marian Guinn, God's Pantry Food Bank, and the admirable work she does. The Mayor presented Ms. Guinn with the Spirit of Lexington Award.

Dr. Leach spoke about the other recipient Dr. Susan Pollack, who was not able to attend.

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

Aye: Lamb, Lane, Moloney, Mossotti, Scutchfield,  
Stinnett, Akers, Bledsoe, F. Brown, J. Brown  
Evans, Farmer, Gibbs, Henson, Kay-----15

Nay: -----0

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. 51.

An Ordinance amending the authorized strength by abolishing one (1) Classified Civil Service Position of Skilled Trades Worker Sr., Grade 517N and creating one (1) Classified Civil Service Position of Corrections Maintenance Mechanic Sr., Grade 519N in the Div. of Community Corrections, effective upon passage of Council, appropriating funds pursuant to Schedule No. 52.

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

An Ordinance changing the zone from a Neighborhood Business (B-1) zone to a Highway Service Business (B-3) zone, for 5.6686 net (6.8980 gross) acres, for property located at 2434 & 2450 Nicholasville Rd. (M.I.A. Brookhaven, LLC; Council District 4).

An Ordinance changing the zone from a Highway Service Business (B-3) zone to a Neighborhood Business (B-1) zone, for 0.345 net (0.465 gross) acre, for property located at 2100 Liberty Rd. Landscape variances are also requested. (Doug Charles; Council District 7).

An Ordinance changing the zone from a Light Industrial (I-1) zone to a Neighborhood Business (B-1) zone, for 3.78 net (4.72 gross) acres, for property located at 308-310, 322 and 330 Newtown Pike (Thistle Holdings, LLC; Council District 2).

An Ordinance amending Article 17-7(b)(5) of the Zoning Ordinance to allow a second free-standing sign for churches and schools on properties of more than five acres in size with two street frontages when located in Residential zones and the Agricultural Urban (A-U) zone. (Lexington Christian Academy). Approval of the Staff Alternative Text 9-0

An Ordinance amending Article 28-6(c) of the Zoning Ordinance to provide for the use of alternative building feature in the Mixed-Use (MU) zones. (Bayer Properties, LLC). Approval of the Staff Alternative Text 9-0

An Ordinance repealing Ordinance No. 266-2008 (the Lexington Distillery District Development Area TIF) in its entirety, dissolving the Incremental Tax Special Fund, the District, and any other features related to the Ordinance, and cancelling or terminating the Agreements related to said Ordinance.

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. 53.

An Ordinance amending Section 16-104 of the Code of Ordinances to incorporate the terms and conditions of the Ky. Pollutant Discharge Elimination System General Permit for stormwater discharges associated with construction activities ("KYR10") issued by the Ky. Div. of Water on December 1, 2014.

An Ordinance amending Section 5-32(1) of the Code of Ordinances of the Lexington-Fayette Urban County Government related to mechanical permit fees for the

installation, replacement or addition of heating, ventilation and air conditioning systems to increase the permit fee for one and two family dwellings; amending Section 5-32(2) of the Code of Ordinances related to mechanical permit fees for the installation, replacement or addition of heating, ventilation and air conditioning systems to increase the permit fee for multi-family dwellings; amending Section 5-32(3) of the Code of Ordinances related to mechanical permit fees for the installation, replacement or addition of heating, ventilation and air conditioning systems to increase the permit fee for structures other than those provided for in Subsections 1 or 2 above.

An Ordinance amending Section 2-464 of the Code of Ordinances of the Lexington-Fayette Urban County Government related to the Corridors Commission, to add viewsheds as a purpose.

An Ordinance amending the authorized strength by abolishing one (1) Classified Civil Service Position of Vehicle and Equipment Technician, Grade 514N and creating one (1) Classified Civil Service Position of Heavy Equipment Technician, Grade 516N in the Div. of Facilities & Fleet Management, effective upon passage of Council, appropriating funds pursuant to Schedule No. 54.

An Ordinance amending the authorized strength by abolishing one (1) Classified Civil Service Position of Resource Recovery Operator, Grade 513N and creating one (1) Classified Civil Service Position of Human Resources Analyst, Grade 520E in the Div. of Waste Management, effective upon passage of Council, appropriating funds pursuant to Schedule No. 57.

An Ordinance amending the authorized strength by abolishing one (1) Classified Civil Service Position of Engineering Technician, Grade 514N, one (1) Classified Civil Service Position of Associate Municipal Engineer, Grade 519E, one (1) Classified Civil Service Position of Program Specialist, Grade 513E, and one (1) Classified Civil Service Position of Equipment Operator, Grade 510N, creating one (1) Classified Civil Service Position of SLM Assistant Superintendent, Grade 520E, one (1) Classified Civil Service Position of Engineering Technician Principal, Grade 518E, one (1) Classified Civil Service Position of Public Service Supervisor, Grade 514N, and one (1) Classified Civil Service Position of Maintenance Mechanic, Grade 515N, and changing the pay grade of one (1) Classified Civil Service Position of SLM Superintendent, from grade 520E to

521E and reallocating the incumbent, all in the Div. of Water Quality, and appropriating funds pursuant to Schedule No. 0055.

An Ordinance creating and establishing, pursuant to KRS 91.750, et seq., the "Downtown Lexington Management District" and providing for its boundaries; a fifteen member Board, the requirements and appointing process for Board Members, and their term limits; the powers of the Board; a Fiscal Year commencing on July 1st, the undertaking of economic improvements by the Board; a budget and audit process; an affirmative action plan; public information; an assessment not to exceed \$.10 of \$100 of the assessed property value for each taxable property within the District; a contesting and appeal process; liens; an annual report to property owners; ethical requirements on Board Members; termination of the District in no later than 5 years; Board guidelines; contracting requirements; management, marketing, and administration; reporting requirements; an advisory council to the Board; severability; all effective upon date of passage with the Management District tax assessment of properties within the District to take place no earlier than allowable by law.

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Upon motion of Ms. Mossotti, seconded by Mr. Farmer, and approved by unanimous vote, a Resolution designating the speed limit on Cromwell Way, between Clays Mill Rd. and Cornwall 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 and given first reading.

Upon motion of Ms. Mossotti, seconded by Ms. Akers, the rules were suspended by a majority vote (Mr. Fred Brown abstained).

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

Aye: Lamb, Lane, Moloney, Mossotti, Scutchfield,  
Stinnett, Akers, Bledsoe, J. Brown, Farmer,  
Gibbs, Henson, Kay -----13

Nay: -----0  
(Ms. Evans was absent when the vote was taken. Mr. Fred Brown abstained.)

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Upon motion of Mr. Stinnett, seconded by Mr. Lane, and approved by unanimous vote, a Resolution accepting the response of Applied Research Associates, Inc. to RFP No. 8-2015 Pavement Management System and Data Collection, and authorizing the

Mayor, on behalf of the Urban County Government, to execute an Agreement with Applied Research Associates, Inc., to provide services related to the RFP, at a cost estimated not to exceed \$394,900 was placed on the docket and given first reading.

Upon motion of Mr. Stinnett, seconded by Ms. Henson, the rules were suspended by a majority vote (Mr. Fred Brown abstained).

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

Aye: Lamb, Lane, Moloney, Mossotti, Scutchfield,  
Stinnett, Akers, Bledsoe, J. Brown, Farmer,  
Gibbs, Henson, Kay -----13

Nay: F. Brown-----1  
(Ms. Evans was absent when the vote was taken.)  
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Upon motion of Ms. Akers, 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 Professional Services Agreement with Gresham, Smith and Partners, to provide professional assistance in preparation and submission of LFUCG's TIGER Grant Application to the USDOT, at a cost not to exceed \$46,000.00 was placed on the docket and given first reading.

Upon motion of Mr. Farmer, seconded by Ms. Henson, the rules were suspended by a majority vote (Mr. Fred Brown abstained).

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

Aye: Lamb, Lane, Moloney, Mossotti, Scutchfield,  
Stinnett, Akers, Bledsoe, J. Brown, Farmer,  
Gibbs, Henson, Kay -----13

Nay: -----0  
(Ms. Evans was absent when the vote was taken. Mr. Fred Brown abstained.)  
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A Resolution accepting the bid of Vapor Protection Services, in the amount of \$36,970, for Radon Mitigation for Family Care and Coleman House, for the Div. of Facilities and Fleet Management was given first reading.

Upon motion of Ms. Lamb, seconded by Mr. Gibbs, the rules were suspended by unanimous vote.

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

Aye: Lamb, Lane, Moloney, Mossotti, Scutchfield,  
Stinnett, Akers, Bledsoe, F. Brown, J. Brown,  
Farmer, Gibbs, Henson, Kay-----14

Nay: -----0  
(Ms. Evans was absent when the vote was taken.)  
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A Resolution accepting the bid of Judy Construction Co., in the amount of \$4,740,000, for the Wolf Run Wet Weather Storage Facility, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Judy Construction Co. related to the bid 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 Ms. Henson seconded by Mr. Kay, the resolution was approved by the following vote:

Aye: Lamb, Lane, Moloney, Mossotti, Scutchfield,  
Stinnett, Akers, Bledsoe, F. Brown, J. Brown,  
Farmer, Gibbs, Henson, Kay-----14

Nay: -----0  
(Ms. Evans was absent when the vote was taken.)  
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A Resolution authorizing the Div. of Human Resources to make conditional offers to the following Probationary Civil Service Appointments: Doug Mott, Software Developer Sr., Grade 525E, \$2,389.01 biweekly and Adam Stringer, Technical Specialist, Grade 515N, \$18.554 hourly both in the Div. of Computer Services, effective upon passage of Council, Christie Barbour, Staff Assistant Sr., Grade 510N, \$15.197 hourly in the Div. of Revenue, effective upon passage of Council, Andy Lieftring, \$14.760 hourly and Timothy Lee, \$13.394 hourly both Public Service Worker Sr., Grade 509N in the Div. of Streets and Roads, effective upon passage of Council, Chris Dixon, \$17.713 hourly, Shaun Johnson, \$18.008 hourly, Harry Fiefhaus, \$19.780 hourly, Steven Conner, \$19.042 hourly, and Michael Carpenter, \$19.780, hourly all Maintenance Mechanic, Grade 515N in the Div. of Water Quality, effective upon passage of Council, Anthony Rodgers, \$16.709 hourly, Vernon Willoughby, \$16.281 hourly, and Aaron Dishman, \$17.941 hourly, all Resource Recovery Operator, Grade

513N in the Div. of Waste Management, effective upon passage of Council, James Nelson, Public Service Worker Sr., Grade 509N, \$14.241 hourly in the Div. of Environmental Services, effective upon passage of Council, Dustin Combs, Paralegal, Grade 517N, \$20.505 hourly in the Dept. of Law, effective May 4, 2015, Paula Byrd, Staff Assistant Sr., Grade 510N, \$14.920 hourly in the Div. of Police, effective May 4, 2015, Terry Carpenter, Vehicle & Equipment Technician, Grade 514N, \$17.052 hourly and Gary Young, Custodial Worker, Grade 505N, \$11.690 hourly both in the Div. of Facilities and Fleet Management, effective upon passage of Council, and Michael Tyree, Skilled Trades Worker, Grade 515N, \$17.890 hourly, effective May 4, 2015, and Shawn Thomas, Public Service Worker, Grade 507N, \$13.068 hourly, effective upon passage of Council, both in the Div. of Parks and Recreation; authorizing the Div. of Human Resources to make conditional offers to the following Probationary Community Corrections Officer Appointments: Jonathon Coyle, William Davis, Gage Deatherage, William Shearer, and Gregory Hickey, all Community Corrections Officer, Grade 110N, \$14.728 hourly in the Div. of Community Corrections, effective April 20, 2015; and authorizing the Div. of Human Resources to make a conditional offer to the following Unclassified Civil Service Appointment: William McClellen, ESP Coordinator, Grade 514E, \$1,457.81 biweekly in the Div. of Parks and Recreation, effective upon passage of Council was given first reading.

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

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

Aye: Lamb, Lane, Moloney, Mossotti, Scutchfield,  
Stinnett, Akers, Bledsoe, F. Brown, J. Brown,  
Farmer, Gibbs, Henson, Kay-----14

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

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Dept. for Local Government and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$73,450 Federal funds, and

are for upgrades for the Masterson Station Playground to become ADA compliant, the acceptance of which requires 50% local match was given first reading.

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

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

Aye: Lamb, Lane, Moloney, Mossotti, Scutchfield,  
Stinnett, Akers, Bledsoe, F. Brown, J. Brown,  
Farmer, Gibbs, Henson, Kay-----14

Nay: -----0  
(Ms. Evans 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 an Agreement awarding a Class B (Education) Stormwater Quality Projects Incentive Grant to Living Arts and Science Center, Inc., at a cost not to exceed \$32,851 was given first reading.

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

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

Aye: Lamb, Lane, Moloney, Mossotti, Scutchfield,  
Stinnett, Akers, Bledsoe, F. Brown, J. Brown,  
Farmer, Gibbs, Henson, Kay-----14

Nay: -----0  
(Ms. Evans 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 an Agreement awarding a Class A (Neighborhood) Incentive Grant to Friends of Wolf Run, Inc., for Stormwater Quality Projects, at a cost not to exceed \$31,170 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 Ms. Henson seconded by Mr. Kay, the resolution was approved by the following vote:

Aye: Lamb, Lane, Moloney, Mossotti, Scutchfield,  
Stinnett, Akers, Bledsoe, F. Brown, J. Brown,  
Farmer, Gibbs, Henson, Kay-----14

Nay: -----0  
(Ms. Evans was absent when the vote was taken.)  
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A Resolution pursuant to KRS 381.755, KRS 67A.060, and 901 KAR 5:090 authorizing the removal and relocation of graves in an abandoned cemetery located upon property consisting of 48.68 acres located at 4100 Nicholasville Rd., Lexington, Ky., owned by Fritz Farms, LLC was given first reading.

Upon motion of Ms. Lamb, seconded by Mr. Gibbs, the rules were suspended by unanimous vote.

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

Aye: Lamb, Moloney, Mossotti, Scutchfield, Stinnett,  
Akers, Bledsoe, F. Brown, J. Brown, Farmer,  
Gibbs, Henson, Kay -----13

Nay: -----0  
(Ms. Evans was absent when the vote was taken. Mr. Lane recused himself from the vote.)  
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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit ten (10) Grant Applications to the Ky. Transportation Cabinet and to provide any additional information requested in connection with these Grant Applications, which Grant funds are in the amount of \$8,237,700 Federal funds under the 2015 Congestion Mitigation Air Quality (CMAQ) Program, and are for the Brighton Rail Trail Bridge (\$2,182,300), the Ky. Horse Park - Legacy Trail Extension (\$2,160,000), the West Loudon Ave. Sidewalk Project (\$497,000), the West Hickman Trail South (\$760,800), the Bike and Pedestrian Awareness Marketing and Safety Campaign (\$240,000), the Manchester St. at South Forbes Rd. left turn lanes (\$714,400), the Mercer Rd. at Greendale Rd. left turn lane (\$856,800), the Pine Needles Ln. and Man-O-War Blvd. turn lane (\$237,600), the Squires Rd. Sidewalk Project (\$164,800), and the Fiber Optic Cable Installation Project (\$424,000) was given first reading.

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

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

Aye: Lamb, Lane, Moloney, Mossotti, Scutchfield,  
Stinnett, Akers, Bledsoe, F. Brown, J. Brown,  
Farmer, Gibbs, Henson, Kay-----14

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

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit the 2015 Consolidated Plan/Grant Application to the U.S. Dept. of Housing and Urban Development, to provide any additional information requested in connection with this Grant Application, and to accept the Grant if the application is approved, which Grant funds are in the amount of \$3,152,936 Federal funds, are for FY2016 Community Development Block Grant Program (\$2,047,931), HOME Program (\$922,788), and Emergency Solutions Grant Program (\$182,217), the acceptance of which obligates the Urban County Government for the expenditure of \$257,630 from various funding sources as local cash match and \$122,217 in-kind match; authorizing the Mayor to transfer unencumbered funds within the Grant budget; and authorizing the Mayor to execute Agreements for the approved plan was given first reading.

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

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

Aye: Lamb, Lane, Moloney, Mossotti, Scutchfield,  
Bledsoe, F. Brown, J. Brown, Farmer, Gibbs,  
Henson, Kay -----12

Nay: Stinnett, Akers-----2  
(Ms. Evans 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 East End Community Development Corp. (\$500), Lexington Citizens Police Academy Alumni Association - Div. of Police (\$1,000), Highlands Neighborhood Association (\$500), Bluegrass Girls Fast Pitch Softball, Inc. (\$300),

Pralltown Neighborhood Association (\$500), The Southland Association (\$500), and Gainesway Neighborhood Association (\$830), 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. Akers, seconded by Ms. Henson, the rules were suspended by unanimous vote.

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

Aye: Lamb, Lane, Moloney, Mossotti, Scutchfield,  
Stinnett, Akers, Bledsoe, F. Brown, J. Brown,  
Farmer, Gibbs, Henson, Kay-----14

Nay: -----0  
(Ms. Evans was absent when the vote was taken.)  
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A Resolution recognizing that the tributary flowing through the Colony subdivision in Lexington-Fayette County is named “Wildcat Chase Stream” from the point of its origin to the point of its confluence with the Cardinal Run Tributary was given first reading.

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

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

Aye: Lamb, Lane, Moloney, Mossotti, Scutchfield,  
Stinnett, Akers, Bledsoe, F. Brown, J. Brown,  
Farmer, Gibbs, Henson, Kay-----14

Nay: -----0  
(Ms. Evans was absent when the vote was taken.)  
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A Resolution initiating various Zoning Ordinance text amendments to provide for day shelters to be a permitted use in some zones and a conditional use in other zones as described in the proposed text attached hereto and incorporated herein was given first reading.

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

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

Aye: Lamb, Lane, Moloney, Mossotti, Scutchfield,  
Stinnett, Akers, Bledsoe, F. Brown, J. Brown,  
Farmer, Gibbs, Henson, Kay-----14

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

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A Resolution accepting the bid of Angel Contracting, LLC, in the amount of \$119,600, for Legacy Trail Flag Pole Base Construction, for the Div. of Engineering was given first reading.

Mr. Lane asked questions about the contract price. Mr. Derek Paulsen, Commissioner of the Dept. of Planning, Preservation and Development, responded.

The resolution was placed on file two weeks for public inspection.

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Upon motion of Ms. Akers, seconded by Mr. Moloney, and approved by unanimous vote, a Resolution expressing the Urban County Council's opposition to the closing of the United States Postal Service (USPS) mail processing facility on Nandino Blvd., and encouraging the preservation of postal jobs at this location in Lexington-Fayette County was placed on the docket, given first reading and ordered placed on file two weeks for public inspection.

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

A Resolution accepting the bid of DC Tours, LLC, establishing a price contract for Charter Bus Services, for the Div. of Parks and Recreation.

A Resolution accepting the bid of Bluegrass Fire Equipment, establishing a price contract for fire hose, for the Div. of Fire and Emergency Services.

A Resolution accepting the bid of Glove Planet, LLC, establishing a price contract for disposable gloves, for the Div. of Community Corrections.

A Resolution accepting the bid of Evapar, Inc., in the amount of \$33,995 for a Generator for the Emergency Operations Center, for the Div. of Emergency Management/911.

A Resolution accepting the bids of SCINA Lawncare Services, LLC, and Stephen Hillenmeyer Landscape Services, establishing price contracts for Mowing, for the Div. of Parks and Recreation.

A Resolution accepting the bid of Xylem Dewatering Solutions, Inc., establishing a price contract for Emergency Pumps & Accessories, for the Div. of Water Quality.

A Resolution accepting the bids of Judy G. Combs d/b/a Landscape Supply and Design; Happy's General Contracting and Maintenance; Walker-Harris Landscapes and Hardscapes, LLC; McGee Springs, Inc.; SCINA Lawncare Services, LLC; Edgington Mowing Service, Inc.; Joshua Fayne d/b/a MowPower; All Pro Lawn and Landscaping; Mow Edge Blow Lawn Service; Lunce Commercial Lawn Care, LLC; ZKB Services, LLC; and D&M Mowing, Inc., establishing price contracts for Turf Mowing, for the Div. of Environmental Services.

A Resolution ratifying the Probationary Civil Service Appointments of: Greta Giles, Staff Assistant Sr., Grade 510N, \$15.128 hourly, effective May 4, 2015 and Diane Lewis, Administrative Specialist, Grade 513N, \$17.274 hourly, effective April 20, 2015 both in the Div. of Revenue and Robert Austin, Public Service Supervisor, Grade 514N, \$20.358 hourly in the Div. of Water Quality, effective April 20, 2015; ratifying the Permanent Civil Service Appointments of: James Moore, License Inspector, Grade 512N, \$20.248 hourly in the Div. of Revenue, effective March 22, 2015, Daniel Estes, Public Service Supervisor, Grade 514N, \$19.724 hourly, effective March 22, 2015, Daniel Petersen, Equipment Operator Sr., Grade 512N, \$16.681 hourly and Michael Jordan, Public Service Worker Sr., Grade 509N, \$17.490 hourly, both effective March 15, 2015, and all in the Div. of Streets and Roads, Fredrick Cotton, \$16.066 hourly, effective January 14, 2015 and Patrick Wright, \$17.579 hourly, effective January 21, 2015, both Resource Recovery Operator, Grade 513N in the Div. of Waste Management, Kikoko Lusiwe, Custodial Worker, Grade 505N, \$12.463 hourly in the Div. of Family Services, effective March 8, 2015, and Travis Noel, \$19.162 hourly and Joshua Toomey, \$18.599 hourly, both Heavy Equipment Technician, Grade 516N, effective March 15, 2015, and James Duncan, Skilled Trades Worker Sr., Grade 517N, \$24.686 hourly, effective March 8, 2015 all in the Div. of Facilities and Fleet Management; ratifying the Probationary Community Corrections Appointment of:

Bradley Baker, Community Corrections Sergeant, Grade 112N, \$23.579 hourly in the Div. of Community Corrections, effective April 6, 2015; ratifying the voluntary demotion of: Manwell Benton, Resource Recovery Operator, Grade 513N, \$21.468 hourly in the Div. of Waste Management, effective March 23, 2015; and ratifying the appointment of: Wanda Wallen, Equipment Operator Sr., Grade 512N, \$20.005 hourly in the Div. of Water Quality, effective March 9, 2015, due to failure to successfully complete the probationary period.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two (2) to the Contract with Bluegrass Contracting Corp. for the Meadows/Northland/Arlington Public Improvements Project, Phase 5B, decreasing the contract price by the sum of \$10,502.42 from \$806,151.67 to \$795,649.25.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with AMEC Environment and Infrastructure, Inc., for services at the Haley Pike Landfill, at a cost not to exceed \$90,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Transportation Cabinet, which Grant funds are in the amount of \$1,278,000 Federal funds, are for design of Phases IV, V, and VI of the Town Branch Trail under the Congestion Mitigation and Air Quality Program, the acceptance of which obligates the Urban County Government for the expenditure of \$257,600 as a local match.

A Resolution authorizing the Mayor, on behalf of the Urban County Government and pursuant to the Jobs Fund Program, to negotiate and execute a ten (10) year forgivable Incentive Agreement and related documents, including personal guaranties, with Summit Biosciences, Inc., and its owners, in an amount not to exceed \$100,000, for the creation and retention of nine (9) new jobs with an average hourly wage of at least \$31.75, exclusive of benefits.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Partnership Agreement with Goodwill of Ky. Cars to Work, Inc., for the purpose of client referral to the Cars to Work Program, for the Dept. of Social Services.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One(1)(Final), to the Contract with Randle-Davies Construction Co., for construction of the Brighton East Rail Trail Project - Phase II, increasing the contract price by the sum of \$78,609.51 from \$466,601.66 to \$525,211.17.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the U.S. Dept. of Justice and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$34,405 Federal funds under the State Criminal Alien Assistance Program (SCAAP), and are for reimbursement of costs related to the incarceration of undocumented criminal aliens.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a two (2) year Agreement with Smart Systems, for dishwashing chemicals, for the Child Care Food Program at the Family Care Center, at a cost not to exceed \$3400.

A Resolution declaring as surplus and authorizing the Dept. of General Services to transfer, on behalf of the Lexington-Fayette Urban County Government, a junked 2014 Ford Explorer to the Automotive Technology Program at Bluegrass Community and Technical College.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Amendments to Agreements with the Ky. Transportation Cabinet, for extension of the Loudon Ave. Sidewalk CMAQ Project, the Gainesway Trail CMAQ Project and the Town Branch Trail Phase III Project through June 30, 2016, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Amendments to Agreements with the Ky. Transportation Cabinet, for extension of the Southland Drive CMAQ Project and the Tates Creek Road Sidewalk Project Through December 31, 2015, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Certificate of Consideration and any other documents

necessary, and to accept Deeds, for property located at 277 Lafayette Pkwy., 283 Lafayette Pkwy. and 1856 Clays Mill Rd., for the acquisition and demolition required for the Hazard Mitigation Grant Program, at a cost not to exceed \$500,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with the Winchester Police Dept., for provision of canine service to the Winchester Police.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government to purchase airtime from Time Warner Cable Advertising Sales, for commercials and advertisements for recruitments, for the Div. of Fire and Emergency Services, at a cost not to exceed \$30,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute the First Amendment to Lease Agreement with Blue Grass Community Action Partnership's Elder Nutrition Program, extending the Program's lease on a month-to-month basis beginning July 1, 2015.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute the First Amendment to Lease Agreement with Nursing Home Ombudsman Agency of the Bluegrass, extending the Agency's lease on a month-to-month basis beginning July 1, 2015.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the MacArthur Foundation for the Safety and Justice Challenge Grant Program and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$150,000 Federal funds, and are for collection and assessment of inmate data.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 (Final) to the contract with LAGCO, Inc., for the Anniston-Wickland Phase 3 Project, decreasing the contract price by the sum of \$5,890.95 from \$995,237.00 to \$989,346.05.

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 Link-Belt Construction Equipment Company, L.P., LLLP, at a cost not to exceed \$175,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with LAGCO, Inc., for the Idle Hour Park Demolition and Football Field Construction Project, increasing the contract price by the sum of \$194,152 from \$366,541 to \$560,693.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Transportation Cabinet Div. of Highway Safety Programs, which Grant Funds are in the amount of \$30,000 Federal funds, are for Police Officer Overtime Support for Distracted Driving Enforcement and the acceptance of which does not obligate the Lexington-Fayette Urban County Government for the expenditure of funds.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to donate to the Ky. State Police, radio headsets which are no longer compatible with the current radio system.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Transportation Cabinet, which Grant funds are in the amount of \$361,600 (FHWA Planning), \$48,400 (Federal Transit Administration Section 5303), \$102,000 (Mobility Office (SLX)), \$54,000 (Air Quality Planning (SLX)), \$67,200 (Congestion Management (SLX)) and \$52,800 (Bike/Ped Planning (SLX)) Federal funds, are for the Div. of Planning Unified Work Program - FY 2016, the acceptance of which obligates the Urban County Government for the expenditure of \$67,800 (FHWA Planning), \$12,100 (Federal Transit Administration), \$25,500 (Mobility Office (SLX)), \$13,500 (Air Quality Planning (SLX)), \$16,800 (Congestion Management (SLX)) and \$13,200 (Bike/Ped Planning (SLX)) as a local match, subject to sufficient funds being appropriated in FY 2016, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Education Fund for Handicapped Children, which Grant funds are in the amount of \$11,000 Commonwealth of Ky. funds, are for therapeutic recreation activities and programs for disabled persons and the acceptance

of which does not obligate the Lexington-Fayette Urban County Government for the expenditure of funds.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 3 to the contract with EOP Architects, PSC, for the Replacement Senior Citizen Center, increasing the contract price by the sum of \$14,145 from \$771,210 to \$785,355.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute two (2) - three (3) year Agreements with Time Warner Cable, to provide high speed internet services, for the Div. of Youth Services and the Bluegrass International Community Center, at a cost not to exceed \$860 for Fiscal Year 2015.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Rio Grande Fence Co., Inc., for the Chain Link Dugouts - Various Parks Project, increasing the contract price by the sum of \$5,340 from \$145,800 to \$151,140.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Amendment No. Two (2) to the Agreement with Bluegrass Area Development District, to provide updated budget and updated service delivery/budget back-up for operation of the Lexington Senior Citizens Center.

A Resolution authorizing the Mayor, on behalf of The Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant to Palomar Townhome Association, Inc., for Stormwater Quality Projects, at a cost not to exceed \$12,841.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Civil Air Patrol Ky. Wing, for procedures for missions.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Fixed-Price Agreement for natural gas supplied under Columbia Gas of Ky.'s SVGTS Tariff, with the lowest responsive bidder, contingent upon a price not to exceed \$5.50 per thousand cubic feet.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Ky. State Dept. of Alcoholic Beverage Control, for hosting of a data base.

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The following Communications from the Mayor were received for information only: (1) Reinstatement of Darayll Chestnut, Resource Recovery Operator, Grade 513N, \$18.594 hourly, in the Div. of Waste Management, effective April 20, 2015; (2) Resignation of Matthew Cheeseman, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective March 3, 2015; (3) Resignation of Patrick W. Burus, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective March 15, 2015; (4) Resignation of Joshua Binion, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective March 20, 2015; (5) Resignation of Shannin Renee Jenkins, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective March 14, 2015; (6) Classified Civil Service Temporary Appointment of Russell Scott, Program Manager Sr., Grade 524E, \$2,511.28 biweekly, in the Div. of Waste Management, effective March 23, 2015; and (7) Termination of Probationary Appointment of Corey Wade Barnett, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective March 10, 2015.

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Mr. Farmer asked if Mr. Stinnett, as Vice Chair, could chair the April 21, 2015 Environmental Quality and Public Works Committee meeting in his absence.

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Mr. Stinnett thanked the Council for its action on going forward with funding a paving project for Man 'O War Blvd.

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Ms. Susan Kelley, W. 6th Street, with Volunteers of America – Ky. spoke about the organization. She asked the Council to reconsider and fund this program for another year.

Mr. Farmer stated the funding matter dealt with a compliance issue and asked Ms. Irene Gooding, Div. of Grants and Special Programs, to respond. Ms. Gooding spoke about the compliance issues that caused Volunteers of America – Ky. not to be funded. Ms. Gooding stated that there were other options for funding the program.

Ms. Akers asked Ms. Kelley about her clients and funding for the program. Ms. Kelley responded.

Mr. Stinnett spoke about compliance matters. He asked Ms. Kelley about how Volunteers of America – Ky. had been operating without these funding. Ms. Kelley introduced Mr. Tom George, Chief Financial Officer for Volunteers of America – Ky., who spoke about need for the funds and the issues that occurred on behalf of Volunteers of America – Ky.

Mr. Moloney commended Ms. Gooding for all her hard work. Mr. Moloney spoke about compliance and asked about operating without the funds. Mr. George spoke about the organization's anticipation of being reimbursed. Mr. Moloney spoke how funds would be reallocated if the requested funds were given to Volunteers of America – Ky.

Ms. Henson asked Mr. George what would happen if they do not get the funds they are requesting. Ms. Anne Vandervort, Volunteers of America – Ky., responded. Ms. Henson asked about alternative funding. Ms. Vandervort responded.

Mr. Kay asked Ms. Gooding about the funding. Ms. Gooding responded and spoke about the importance of compliance because non-compliance can cause loss of funds. Mr. Kay stated Ms. Gooding's information was helpful and he would not be able to penalize another agency.

Ms. Lamb asked Ms. Vandervort about other resources. Ms. Vandervort responded.

Ms. Akers asked Ms. Gooding about funds that could be moved to support Volunteers of America. Ms. Gooding responded. Ms. Akers asked if the funds could come from another source. Ms. Gooding responded. Ms. Akers asked how many houses could be rehabbed from the funds that could be allocated to Volunteers of America.

Ms. Mossotti asked how many agencies were not in compliance. Ms. Gooding responded.

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Mr. Bob McNulty, Hartland Park Drive, spoke about the resolution to oppose the closing of the United States Postal Service facility on Nandino Blvd. He spoke about funding resources for the United States Postal Service. He spoke about how the mail will be rerouted if the facility closes. He thanked Council Member Akers for her support.

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Mr. Henry Kenion, Douglas Street, spoke about the Stella Stewart Award and representation from Lexington. He spoke about the importance of networking with other from the National Association of Regional Councils (NARC). He asked Council to reinstate four scholarships for representatives to attend the NARC meeting.

The Mayor asked Mr. Ford, Commissioner of Social Services, to work with Mr. Kenion.

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Mr. James Smith, Deerfield Drive, Versailles, Ky., spoke about the closing of the Nandino Blvd. United States Postal Service facility. He thanked Council Member Akers for introducing the supportive resolution. He spoke about the effect of the closing of the facility on the community and the change in time frame for mail delivery.

The Mayor spoke about the matter and thanked Mr. Smith for coming forward.

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Mr. Bernard McCarthy, Harry Street, spoke about street capacity in downtown and the effect of construction projects. He spoke about historical protective measures.

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Upon motion of Mr. Stinnett, seconded by Mr. Farmer, and approved by a majority vote (Ms. Evans was absent when the vote was taken), the meeting adjourned at 7:46 P.M.

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Deputy Clerk of the Urban County Council