

Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky September 27, 2012

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on September 27, 2012 at 6:00 P.M. Present were Mayor Gray in the chair presiding, and the following members of the Council: Council Members Myers, Stinnett, Beard, Crosbie, Ellinger, Farmer, Ford, Gorton, Henson, Kay, Lane, Lawless, and McChord. Absent were Council Members Blues and Martin.

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

Resolutions No. 488-2012 thru 509-2012, and Ordinances No. 114-2012 thru 119-2012, inclusive were reported as having been signed and published, and ordered to record.

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The Invocation was given by Chaplain James Rayburn, Veterans Administration Medical Center.

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Upon motion of Mr. Ellinger, seconded by Ms. Gorton, the Minutes of the August 16 and 30, and September 13, 2012 Council Meetings were approved by unanimous vote.

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The Mayor asked Ms. Gorton to join him in presenting the Proclamation in honor of the 100th Anniversary of the Girl Scouts. The Mayor spoke about the Wilderness Council of the Girl Scouts, Ms. Gorton proclaimed 2012 The Year of the Girl Scout in recognition of their 100 years.

Ms. Gorton introduced Ms. Susan Hansel, CEO of the Wilderness Council, who made some remarks. She introduced Ms. Cassie Scutchfield and Ms. Chloe Warfield, Girl Scouts. Ms. Warfield spoke about her experiences and thanked the Council and Mayor.

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The Mayor made a presentation to Ms. Samantha Kinchen, 2012 USA Boxing Junior Olympic Champion, and proclaimed September 27, 2012 'Samantha Kinchen Day.' He introduced Mr. William 'Sarge' Farris, her coach and owner of Legends Boxing. The Mayor spoke about Ms. Kinchen, a student at Henry Clay High School.

Ms. Kinchen thanked everyone for honoring her, and spoke about her experience with boxing. The Mayor also spoke about Mr. Farris' work with Partners for Youth, and his persistence in obtaining funding for the program. Mr. Farris thanked everyone and spoke about his program.

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

Aye: Myers, Stinnett, Beard, Crosbie, Ellinger,
Farmer, Ford, Gorton, Henson, Kay,
Lane, Lawless, McChord-----13

Nay: -----0

An Ordinance amending Section 22-5(2) of the Code of Ordinances, creating one (1) position of Program Supervisor P/T, Grade 106N, with term to expire on September 1, 2014, in the Dept. of Social Services, 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. 13.

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

An Ordinance amending Article 23A-9(k) of the Zoning Ordinance to amend the requirements of the Community Center (CC) zone to allow a building to exceed 50,000 square feet in size.

An Ordinance changing the zone from a High Density Apartment (R-4) zone to a Lexington Center Business (B-2B) zone, for 1.86 net (2.46 gross) acres, for property located at 410 Patterson St. and 522 and 540 West Maxwell St. (Pleasant Green Baptist Church of Lexington, Inc.; Council District 3).

An Ordinance amending Article 16 of the Zoning Ordinance to clarify off-street parking requirements when the Urban County Council designates a "Pedestrian-Oriented Business District."

An Ordinance amending Subsection 14-72(6)(a) of the Code of Ordinances of the Lexington Fayette Urban County Government to add a requirement of a noise disturbance across a dwelling unit boundary.

Ordinance of the Council of the Lexington-Fayette Urban County Government (1) Authorizing and approving the execution and delivery of a Second Supplemental Lease Agreement between the Lexington-Fayette Urban County Airport Board as the Lessor and the Lexington-Fayette Urban County Government as the Lessee relating to the issuance and sale of an amount not to exceed \$25,000,000 in aggregate principal amount of (a) Lexington-Fayette Urban County Airport Board General Airport Revenue Refunding Bonds, 2012 Series A (Lexington-Fayette Urban County Government General Obligation) (AMT); and (b) Lexington-Fayette Urban County Airport Board General Airport Revenue Refunding Bonds, 2012 Series B (Lexington-Fayette Urban County Government General Obligation) (Non-AMT), all for the purpose of refunding (i)

All of the Board's outstanding \$26,235,000 Variable Rate General Airport Revenue and Revenue Refunding Bonds, 2008 Series B (Lexington-Fayette Urban County Government General Obligation) (Non-AMT) and (ii) A portion of the Board's outstanding \$16,420,000 Variable Rate General Airport Revenue Refunding Bonds, 2009 Series B (Lexington-Fayette Urban County Government General Obligation) (Non-AMT), at the Blue Grass Airport in Fayette County, Ky.

An Ordinance amending Sections 8-4(1), 8-4(4)(a), 8-4(5)(a), 8-4(5)(c), 8-4(5)(e), 8-5(1), 8-5(2), 8-5(2)(b), 8-5(2)(c), 8-5(2)(e), 8-5(3), 8-5(4), 8-6(4), 8-6(10), 8-6(11), 8-6(13)(a)(ix)(d), 8-6(13)(a)(x), 8-6(14)(a), 8-7(5), 8-7(6), 8-8(1), 8-8(2), 8-9(1), 8-9(6) of the Code of Ordinances related to mining and/or quarrying to change the responsible division from Building Inspection to the Div. of Engineering; amending Section 8-4(4)(a) of the Code of Ordinances related to mining and/or quarrying to increase the permit fee to an amount based on the costs to the Urban County Government in performing annual inspections, assessed on a per acre basis and including the costs of any necessary consultants, and providing that the operator is responsible if the actual costs exceed the annual fee and that the Urban County Government shall refund any difference if the actual costs are less than the annual fee; amending Section 8-4(5)(d) of the Code of Ordinances related to mining and/or quarrying to increase the renewal fee from \$6.00 an acre to \$18.00 an acre; amending Section 8-6(14) of the Code of Ordinances related to mining and/or quarrying to delete the word "building"; amending Section 8-7(2) of the Code of Ordinances related to mining and/or quarrying to delete the phrase "another copy to the Div. of Building Inspection"; amending Section 8-7(7) of the Code of Ordinances related to mining and/or quarrying to delete the phrase "the Div. of Building Inspection"; amending Section 8-9(1) of the Code of Ordinances related to mining and/or quarrying to delete the phrase "the Div. of Engineering and/or".

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. 14.

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A Resolution ratifying the probationary civil service appointments of: Victor Obonyo, Computer Analyst Supervisor, Grade 117E, \$2,003.76 bi-weekly, in the Div. of

Computer Services, effective October 1, 2012, Kina Suarez, Administrative Specialist Sr., Grade 112N, \$17.628 hourly, in the Div. of Human Resources, effective September 3, 2012 and Kim Nesbitt, Human Resources Generalist, Grade 118E, \$2,760.64 bi-weekly, in the Div. of Human Resources, effective August 27, 2012; ratifying the permanent civil service appointments of: Monica Pattison, Staff Assistant Sr., Grade 108N, in the Div. of Police, effective August 27, 2012; ratifying the probationary sworn appointments of: Charles Bonta, Fire Major, Grade 318E, \$3,521.79 bi-weekly, in the Div. of Fire and Emergency Services, effective August 11, 2012 and Ernest Hudson, Fire Captain, Grade 316N, \$23.039 hourly, in the Div. of Fire and Emergency Services, effective August 11, 2012; ratifying the permanent sworn appointments of: Darin Larrabee, Police Sergeant, Grade 315N, in the Div. of Police, effective August 20, 2012 and Jeremy Tuttle, Police Sergeant, Grade 315N, in the Div. of Police, effective August 20, 2012 was on the docket for second reading.

Ms. Gorton made a motion, seconded by Ms. Lawless, and approved by unanimous vote, to amend the Resolution to remove the probationary civil service appointment to the Human Resources Analyst position. She stated this was not a material change and would not require a new first reading.

A Resolution ratifying the probationary civil service appointments of: Victor Obonyo, Computer Analyst Supervisor, Grade 117E, \$2,003.76 bi-weekly, in the Div. of Computer Services, effective October 1, 2012, Kina Suarez, Administrative Specialist Sr., Grade 112N, \$17.628 hourly, in the Div. of Human Resources, effective September 3, 2012; ratifying the permanent civil service appointments of: Monica Pattison, Staff Assistant Sr., Grade 108N, in the Div. of Police, effective August 27, 2012; ratifying the probationary sworn appointments of: Charles Bonta, Fire Major, Grade 318E, \$3,521.79 bi-weekly, in the Div. of Fire and Emergency Services, effective August 11, 2012 and Ernest Hudson, Fire Captain, Grade 316N, \$23.039 hourly, in the Div. of Fire and Emergency Services, effective August 11, 2012; ratifying the permanent sworn appointments of: Darin Larrabee, Police Sergeant, Grade 315N, in the Div. of Police, effective August 20, 2012 and Jeremy Tuttle, Police Sergeant, Grade 315N, in the Div. of Police, effective August 20, 2012 was given second reading as amended.

Upon motion of Ms. Gorton, and seconded by Ms. Henson, the resolution was approved by the following vote:

Aye: Myers, Stinnett, Beard, Crosbie, Ellinger,
Farmer, Ford, Gorton, Henson, Kay,
Lane, Lawless, McChord-----13

Nay: -----0

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

Aye: Myers, Stinnett, Beard, Crosbie, Ellinger,
Farmer, Ford, Gorton, Henson, Kay,
Lane, Lawless, McChord-----13

Nay: -----0

A Resolution accepting the bids of Woodall Construction Co., Inc; ZKB Services LLC; Tom Chesnut Excavation & Construction, LLC; Todd Johnson Contracting, Inc.; Sensabaugh Design & Construction; Randle-Davies Construction Co.; L-M Asphalt Partners LTD d/b/a ATS Construction; G&G Paving and Construction, Inc; and Bluegrass Contracting Corp., establishing construction unit price contracts, for the Div. of Engineering.

A Resolution accepting the bid of Emergency Equipment, establishing a price contract for High Pressure Lifting, for the Div. of Fire and Emergency Services.

A Resolution accepting the bid of Superior Demolition, Inc., in the amount of \$24,650, for the demolition of a fire training tower, for the Div. of Fire and Emergency Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary agreement with Superior Demolition, Inc., related to the bid.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with Judy Construction Co. for West Hickman WWTP Improvement Clarifier #8, increasing the contract price by the sum of \$9,431 from \$231,500 to \$240,931.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with LAGCO, Inc., for Anniston/Wickland Capital Storm Sewer Project, Phase 2, increasing the contract price by the sum of \$4,751.50 from \$653,826.50 to \$658,578.00.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Mutual Aid Agreement with Rural Metro Ambulance, for mutual aid related to ambulance services, at no cost to the Urban County Government.

A Resolution amending Resolution No. 91-2012, authorizing the Mayor to execute Certificates of Consideration and other necessary documents, and to accept Deeds for property interests needed for the Meadows-Northland-Arlington Section 5A Public Improvements Project, to increase the maximum amount of funds permitted for property interests from \$175,000 to \$180,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky. Transportation Cabinet, for extension of the Share the Road Media Campaign Project through June 30, 2013, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky. Transportation Cabinet, for extension of the Gainesway Trail Project through June 30, 2013, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky. Transportation Cabinet, for extension of the Fiber Optic Cable 2009 Project through June 30, 2013, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Contract Amendment with Ky. Theater Management Group, Inc., for operation and management of Kentucky and State Theaters through October 31, 2013.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Institute of Police Technology and Management, for a Burglary Investigations Course, at a cost not to exceed \$11,500.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Ky. State Police, Ky. Internet Crimes Against Children Task Force, for continuation of the Task Force.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Internal Revenue Service, Criminal Investigation, for continuation of the Financial Crimes Task Force.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easement releasing a portion of a sanitary sewer easement on property located at 249 Towne Square Park.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept additional Federal funding in the amount of \$300,000 from the Ky. Energy and Environment Cabinet for the Wolf Run Creek Watershed Based Plan, the acceptance of which obligates the Urban County Government for the expenditure of \$200,000 as a local match.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with Disponette Service Co., Inc., to incorporate the Energy Efficiency and Conservation Block Grant Special Terms and Conditions and the Waste Management Plan into the Agreement for improvements to the Charles Young Center, at no cost to the Urban County Government.

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 2012 property tax year, at a cost not to exceed \$350,000, with payment net from collections.

A Resolution approving the granting of an inducement to Bingham McCutchen LLP, pursuant to the Ky. Business Investment Act (KRS Chapter 154.32), whereby the Lexington-Fayette Urban County Government agrees to forego the collection of the local building and permitting fees related to the renovation of the property located at 1500 Aristides Blvd., Lexington, Ky. (Coldstream Research Park), and 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 Bingham McCutchen LLP, has with the Ky. Economic Development Finance Authority related to the project, and taking other related action.

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The following resolutions were given first reading. Upon motion of Mr. McChord, seconded by Ms. Crosbie, the rules were suspended by unanimous vote.

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

Aye: Myers, Stinnett, Beard, Crosbie, Ellinger,
Farmer, Ford, Gorton, Henson, Kay,
Lane, Lawless, McChord-----13

Nay: -----0

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements, awarding EcoArt Grants to Andrew Light (\$5,000), Art-at-the-Cathedral (\$5,000), Carnegie Center for Literacy and Learning (\$1,500), Christine Kuhn, (\$4,128), Diane Kahlo (\$2,568), Institute 193 (\$5,000), Lexington Children's Theatre (\$5,000), Living Arts and Science Center (\$5,000), Louis Guida (\$5,000), Morton Middle School (\$3,200), Nori Hall (\$5,000), Sonja Brooks (\$4,987), Stephen R. Moore (\$5,000), Tonya Vance (\$3,019), The Learning Center (\$5,000), University of Ky. Research Foundation (\$2,564), at a cost not to exceed the sums stated.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Assurance for Life (\$2,400), The Tates Creek High School PTSA, Inc. (\$750) and Winburn Middle School PTSA, Inc. (\$600) for the Office of the Urban County Council, at a cost not to exceed the sums stated.

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A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following probationary civil service appointments: Garrett Harper, Computer Analyst, Grade 115E, \$1,619.52 bi-weekly, in the Div. of Computer Services, effective upon passage of Council, Tabitha Highley, GIS Specialist, Grade 114N, \$19.315 hourly, in the Div. of Computer Services, effective upon passage of Council and Sam Clark, Trades Worker Sr., Grade 109N, \$18.207 hourly, in the Div. of Streets and Roads, effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following unclassified civil service appointments: Robynn Pease, Program Supervisor P/T, Grade 106N, \$15.743 hourly, in the Dept. of Social Services, effective upon passage of Council was given first reading.

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

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

Aye: Myers, Stinnett, Beard, Crosbie, Ellinger,
Farmer, Ford, Gorton, Henson, Kay,
Lane, Lawless, McChord-----13

Nay: -----0

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A Resolution authorizing and the Mayor, on behalf of the Urban County Government, to execute Agreements with the Drug Enforcement Administration, for State and Local Task Force and Tactical Diversion Task Force was given first reading.

Mr. Clay Mason, Commissioner of the Dept. of Public Safety, asked that the rules be suspended in order to give second reading to the resolution.

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

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

Aye: Myers, Stinnett, Beard, Crosbie, Ellinger,
Farmer, Ford, Gorton, Henson, Kay,
Lane, Lawless, McChord-----13

Nay: -----0

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. 2 to the Engineering Services Agreement with BTM Engineering, Inc., for the Tates Creek Rd./ Landsdowne Dr. Traffic Signal Project, increasing the contract amount by the sum of \$2,600 from \$127,978 to \$130,578 was given first reading.

Mr. Beard asked questions of Mr. Derek Paulsen, Commissioner of the Dept. of Planning, Preservation and Development, regarding the contract modification in the resolution, and the project in general. Mr. Paulsen responded.

The resolution was 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 Whayne Supply Co., in the amount of \$19,565.19, for West Hickman Waste Water Treatment Plant Generator Control Panel and Installation, for the Div. of Water Quality.

A Resolution accepting the bid of Whayne Supply Co., in the amount of \$13,196.78, for Generator Engine Monitoring Gateway, for the Div. of Water Quality.

A Resolution accepting the bids of Orr Safety Corp. and Bluegrass Uniforms, Inc., establishing price contracts for breathing apparatus, for the Div. of Fire and Emergency Services.

A Resolution accepting the bid of Key to Cleaning, establishing a price contract for Custodial Services - Recycling Center, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Scott Barnhill, in the amount of \$23,876, for the installation of an entrance wall/arch at Jacobson Park, for the Div. of Parks and Recreation, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary agreement with Scott Barnhill, related to the bid.

A Resolution accepting the bid of Prominent Systems, Inc., in the amount of \$15,970, for Picadome Pump Station Air Scrubber Media Removal, Disposal & Replacement, for the Div. of Water Quality.

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 Radio Communications Systems, Inc. d/b/a RCS Communications, establishing a price contract for communications system maintenance, for the Div. of Police and authorizing the Mayor to sign any necessary agreement related to the bid.

A Resolution accepting the bid of Herrick Co., Inc., establishing a price contract for demolition, removal, and replacement of Clarifier Scum Baffles and Weirs, for the Div. of Water Quality.

A Resolution accepting the bids of Path Master, Inc.; Baldwin & Sours, Inc.; Traffic Parts, Inc.; and Quality Traffic Systems, establishing price contracts for Traffic Signal and Control Equipment, for the Div. of Traffic Engineering.

A Resolution accepting the bid of Todd Johnson Contracting, Inc., in the amount of \$184,631.05, for the Roland Ave. Stream Stabilization Project, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute an Agreement with Todd Johnson Contracting, Inc., related to the bid.

A Resolution ratifying the probationary civil service appointments of: Joel Ragland, Trades Worker Sr., Grade 109N, \$18.942 hourly, in the Div. of Streets and Roads, effective October 15, 2012, Rebecca Crawford, Administrative Specialist Sr., Grade 112N, \$22.658 hourly, in the Div. of Parks and Recreation, effective September 10, 2012, Randall Naylor, Code Enforcement Supervisor, Grade 116E, \$2,164.72 bi weekly, in the Div. of Grants and Special Programs, effective September 10, 2012 and Frank Mabson, Administrative Specialist, Grade 110N, \$14.423 hourly, in the Div. of Water Quality, effective October 15, 2012.

A Resolution approving an Update of Area Designation for the Solid Waste Management Plan for Lexington-Fayette County for 2013-2018, pursuant to KRS 224.43-340 and 224.43-345.

A Resolution authorizing the Div. of Engineering, on behalf of the Urban County Government, to purchase design services for the Northland Meadows Arlington Phase 5B Project from ECSI LLC, a sole source provider, at a cost not to exceed \$24,966.20.

A Resolution approving and adopting a Solid Waste Management Plan for Lexington-Fayette County for 2013-2018, pursuant to KRS 224.43-340.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and other necessary documents, and to accept Deeds for property interests needed for the Cardinal Lane Stormwater Improvement Project, at a cost not to exceed \$6,815.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Apprisen, for a Financial Literacy Education Program, at a cost not to exceed \$36,000.

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 \$100,000 Commonwealth of Ky. funds, are for the Tates Creek Rd.

and Lansdowne Dr. Traffic Signal Project, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute any documents necessary to transfer the properties located at 311 Nelson Ave., 544 Ohio St., 829 Whitney Ave., 330 Georgetown Place, and 449 Race St., acquired under the Neighborhood Stabilization Program, to Seedleaf, Inc., for use as community garden space.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Use Agreement with the Lexington Public Library, for occasional use of the Farish Theater for a one-year period, at no cost to the Urban County Government.

A Resolution approving the Dept. of Social Services' Partner Agency application, scoring rubric and schedule for application/review and directing that there will be no funding cap during the FY14 application process.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Mutual Aid Agreements with Georgetown Police Dept., Magoffin County Sheriff's Office and Salyersville Police Dept., for mutual aid.

A Resolution authorizing the Div. of Fire and Emergency Services, on behalf of the Lexington-Fayette Urban County Government, to purchase Lucas II Chest Compression Devices and related equipment and services from Physio Control, Inc., a sole source provider (distributor), at a cost not to exceed \$44,885.25 (CSEPP funds), and authorizing the Mayor to sign any necessary Agreement related to the services.

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 \$132,000 Federal funds, are for design of Polo Club Blvd. at Deer Haven Ln. and Todds Rd., the acceptance of which obligates the Urban County Government for the expenditure of \$33,000 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Lumina Foundation, 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 \$10,000, and are for a Latina Education Support Project at the Family Care Center, the acceptance of which obligates the Urban County Government for the expenditure of \$8,600 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Salvation Army (\$1,100) for the Office of the Urban County Council, at a cost not to exceed the sum stated.

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The following Communications from the Mayor were received for information only: (1) Reinstatement of Ilir A. Aliu, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective September 24, 2012; (2) Approving voluntary demotion of Barbie Tapp, Staff Assistant Sr., Grade 108N, \$11.881 hourly, in the Div. of Police, effective October 1, 2012; (3) Temporary appointment of Amelia Confides, Administrative Specialist, Grade 110N, in the Div. of Building Inspection, effective September 3, 2012; and (4) Temporary appointment of Stephanie Dooley, Administrative Specialist, Grade 110N, in the Div. of Building Inspection, effective September 3, 2012.

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Assistant Chief Dwayne Holman, Div. of Police, stated that Officer Banford K. Hill had committed the offense of Unsatisfactory Performance in violation of KRS 95.450 and G.O. #73-2/H, Operational Rules, Section 1.11, in that on the 28th day of May, 2012, he responded to a loud party call on Addison Avenue, and while investigating that call, heard multiple shots being fired in the area of 1035 Red Mile Road. Upon responding to that location, he discovered a .40 caliber shell casing in the street. Sergeant Newman directed Officer Hill to book the shell casing into evidence that evening. On June 1, 2012, a .40 caliber handgun was recovered from an individual at 1154 Horsemen's Lane. Sergeant Phillips directed Officer Hill to submit a KSP Lab Request to determine if the recovered handgun could be linked to the recovered shell casing. Officer Hill stated that he had become busy and was unable to book the shell casing into evidence. Officer Hill did not explain to Sergeant Phillips that he thought he

had lost the shell casing. On June 2, 2012, Officer Hill advised Sergeants Newman and Phillips that, while washing his uniform pants, he discovered the 'lost' shell casing in the pocket, and that the appropriate punishment for this offense is Twenty (20) Hours Suspension Without Pay.

Upon motion of Ms. Gorton, seconded by Mr. McChord, the disciplinary action was approved by unanimous vote.

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The Mayor announced that the Fayette County Neighborhood Council would host a Mayor's Night Out event on October 8, 2012, at the Northside Library at 7:00 p.m., with a 'Seniors' theme.

He also announced that the Alzheimer's Memory Walk would be held on Sunday, September 30, 2012, with check-in at 1:00 p.m.

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Mr. Brian Schlifke, Winding Drive, passed out an exhibit titled "The Task at Hand, Growing Employment", and spoke about unemployment in Fayette County.

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Ms. Lillie Miller-Johnson, Lexington, requested that part of the available UDAG funds be loaned to the Community Action Council to be used to cover monies owed to her by the Council.

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Upon motion of Mr. Stinnett, seconded by Ms. Crosbie, and approved by unanimous vote, the meeting adjourned at 7:05 p.m.

Deputy Clerk of the Urban County Council