

Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky January 31, 2013

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on January 31, 2013 at 6:00 P.M. Present were Mayor Jim Gray in the chair presiding, and the following members of the Council: Council Members Ellinger, Farmer, Ford, Gorton, Henson, Kay, Lane, Lawless, Mossotti, Myers, Scutchfield, Stinnett, Akers, Beard, and Clarke.

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

Resolutions No. 1-2013 thru 5-2013, and Ordinances No. 1-2013 thru 4-2013, inclusive were reported as having been signed and published, and ordered to record.

Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky January 31, 2013

The Invocation was given by Rev. Brian Cole, the Episcopal Church of the Good Shepherd.

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The Mayor stated that a motion of continuance had been filed by Ms. Mary Sharp, Counsel for the Defendant, in the matter of a Police Disciplinary Hearing to be held at a Special Meeting of the Council on February 4, 2013.

Mr. David Enlow, Counsel for the Lexington-Fayette Urban County Government, and Mr. Keith Horn, Dept. of Law, spoke on the motion, and advised that a continuance would be in order. Mr. Horn suggested potential dates of March 11 or March 18, 2013.

Mr. Kay asked questions of Mr. Horn. Mr. Horn responded.

Upon motion of Ms. Gorton, seconded by Mr. Beard, and approved by a majority vote of 14-0 (Mr. Ford was absent when the vote was taken), the continuance was granted, the Special Council Meeting set for February 4, 2013, was cancelled, and a Special Council Meeting for a Police Disciplinary Hearing was scheduled for March 11, 2013, at 3:00 p.m.

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The Mayor and Ms. Gorton proclaimed Friday, February 1, 2013, National Wear Red Day in honor of the Go Red for Women movement. The Mayor introduced Ms. Jennifer Ebert, Heart Walk Director, and Ms. Regan Judd, heart disease survivor and spokesperson for the Go Red for Women campaign.

Ms. Ebert thanked the Mayor and Council for the recognition and spoke about women and heart disease.

Ms. Gorton spoke about the recognition and presented a plaque.

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Ms. Gorton spoke about industrial hemp, and introduced those in the audience there to speak on the issue of legalization of industrial hemp

Ms. Holly Harris VonLuehrte, Chief of Staff to Agriculture Commissioner James Comer, spoke about industrial hemp and all who support it.

Mr. Larry Cox, Office for Consumer and Environmental Protection in the Ky. Dept. of Agriculture, explained the language in the proposed industrial hemp Senate Bill 50.

Mr. John Reilly, Kentucky Industrial Hemp Commission representative, spoke about the economic development component of industrial hemp.

Ms. VonLuehrte stated that Senate Bill 50 would be considered by the Senate on February 11, 2013.

Mr. Farmer thanked them for bringing the information. He shared a set of photos regarding industrial hemp and spoke about them.

Ms. Lawless and Ms. Mossotti thanked the representatives for this information.

The Mayor recognized Mr. Jon Larson, Fayette County Judge Executive, who spoke about marijuana and concerns with industrial hemp.

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

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

Nay: -----0
(Mr. Farmer was absent when the vote was taken.)

An Ordinance amending Articles 1, 8, 11, 12 and 16 of the Zoning Ordinance to define "automobile and refueling stations" and allow for the dispensing of compressed natural gas and any liquefied petroleum in business and industrial zones, either as a principal use or as a conditional use (Urban County Council).

An Ordinance amending Section 22-5(2) of the Code of Ordinances extending the term of the temporary position of Administrative Officer Sr., Grade 120E for a three (3) year term effective December 8, 2012, in the Div. of Water Quality, effective upon passage of Council.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, creating one (1) position of Staff Assistant Sr., Grade 108N, in the Div. of Community Corrections and amending Section 22-5(2) of the Code of Ordinances, abolishing one (1) position of

Staff Assistant Sr., Grade 108N in the Div. of Community Corrections, and appropriating funds pursuant to Schedule No. 33.

An Ordinance accepting the private streets in Lochmere Estates Subdivision (Lochmere Ln., Lochmere Ct., and Lochmere Loop), as public streets pursuant to the Private Street Acceptance Policy contingent upon the satisfactory completion of the final course of asphalt on the streets or posting of adequate security for the completion of such paving, posting of an adequate warranty surety related to the paving work, removal of gates from the entry to the subdivision, performance and reporting of closed-circuit televising of all storm sewers within the subdivision, and recording a final record plat within one year of passage of this Ordinance dedicating the streets as public rights of way, dedicating a ten (10) foot street maintenance easement adjacent to the right-of-way, and containing a note assigning maintenance of walls, landscaping, and any other items related to the entry features of the subdivision as well as maintenance of common areas outside the public right of way to the homeowners association.

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. 32.

An Ordinance amending Section 14-85(a) of the Code of Ordinances related to towing to amend the definition of operator and create the definitions of drop fee, private impound cost schedule, standard tow, heavy duty tow, and vehicle; creating Section 14-87(3) of the Code of Ordinances related to towing regarding the license holder's responsibility for its employees; amending Section 14-88(1) of the Code of Ordinances related to towing to amend releasing of vehicles to owners; amending Section 14-88(2) of the Code of Ordinances related to towing to require a copy of the private impound cost schedule be provided to owners; creating Section 14-88(3) of the Code of Ordinances related to towing to require all tow drivers to carry copies of the private impound cost schedule; creating Section 14-88(4) of the Code of Ordinances related to towing to prohibit additional fees other than storage fees; creating Section 14-89.1 related to towing regarding notification to the vehicle owner requirements; amending Section 14-90(1) of the Code of Ordinances related to towing regarding a private impound tow truck service's retention of the vehicle owner's vehicle records; amending

Section 14-90(2) of the Code of Ordinances related to towing to add the license plate numbers, state of insurance, make, model and color of the vehicle to be added to the receipt; amending Section 14-90(4) of the Code of Ordinances related to towing to amend the rate for the maximum charges for tows and storage; amending Section 14-90(6) of the Code of Ordinances related to towing to amend the persons authorized to redeem the vehicle; creating Section 14-90(7) of the Code of Ordinances related to towing regarding a credit card processing fee; creating Section 14-91(7) of the Code of Ordinances related to towing to prohibit storage of vehicles from counties other than Fayette County; amending Section 14-92(1) of the Code of Ordinances related to towing to define the requirements for a tow truck service's operator's log; creating Section 14-92(3) of the Code of Ordinances related to towing regarding electronic logs; creating Section 14-92(4) of the Code of Ordinances related to towing regarding retention of logs and files; creating Section 14-92(5) of the Code of Ordinances related to towing regarding subcontracting tow services; creating Section 14-93(11) of the Code of Ordinances related to towing to prohibit tow services from operating any vehicle that has been impounded on a public roadway within Fayette County; creating Section 14-93(12) of the Code of Ordinances related to towing regarding required contact for hookup to an occupied vehicle.

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An Ordinance changing the zone from a Single Family Residential (R-1D) zone to a High Density Apartment (R-4) zone for 1.976 net (2.731 gross acres), for property located at 116 and 118 Simpson Ave.; 1100-1110 Prospect Ave.; and a portion of 101 and 103 Burley Ave. (Anderson Campus Rental Properties, LLC; Juanita G. Lear; Robert C. Hodges and Anthony McIntire; Council District 3) was given first reading and ordered placed on file until a Special Council Meeting with a Public Hearing to be held on February 26, 2013, at 6:00 p.m.

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The following ordinances were given first reading and ordered placed on file until February 12, 2013, for public inspection.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, creating one (1) position of Skilled Trades Worker Sr., Grade 112N and abolishing one (1) position of

Skilled Trades Worker, Grade 111N in the Div. of Community Corrections, appropriating funds pursuant to Schedule No. 35, 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. 34.

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A Resolution approving and adopting an Amendment to the 2012 Consolidated Plan eliminating Emergency Solutions Grants funding for the Salvation Army, reallocating the funds to the Bluegrass Domestic Violence Program for operation of an emergency shelter for people who are homeless because of domestic violence, and authorizing the Mayor to execute an Agreement with Bluegrass Domestic Violence Program for use of the funds was given second reading.

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

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

Nay: -----0
(Ms. Mossotti recused herself 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 an Agreement with Volunteers of America of Ky., Inc., for support of emergency housing for homeless families, at a cost not to exceed \$8,000 was given second reading.

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

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

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

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

Aye: Ellinger, Farmer, Ford, Gorton, Henson,
Kay, Lane, Lawless, Mossotti, Myers,
Scutchfield, Stinnett, Akers, Beard, Clarke----15

Nay: -----0

A Resolution accepting the bid of Paul Miller Ford, in the amount of \$23,280.88, for aluminum prisoner transport van inserts, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Montgomery Tractor Sales, Inc., establishing a price contract for supplemental tractor parts and accessories, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bids of Atlanco of S.C., and 3F Chimica Americas, Inc., establishing price contracts for Polymer Flocculants, for the Div. of Water Quality.

A Resolution accepting the bid of Walter Martin Excavating, Inc., in the amount of \$219,110, for the Cardinal Ln. Stormwater Improvements, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Walter Martin Excavating, Inc., related to the bid.

A Resolution accepting the bid of Riley Oil Co., establishing a price contract for Commercial Fuel - Diesel, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Ky. Uniforms, establishing a price contract for uniforms for the Div. of Waste Management.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Office of Homeland Security, for extension of the FY 2012 Metropolitan Medical Response System (MMRS) 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 an Agreement with the Ky. Office of Homeland Security, for extension of the FY 2011 Metropolitan Medical Response System (MMRS) 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 Modifications to Agreements with the Ky. Dept. of Military Affairs, Div. of Emergency Management, for extension of the agreements for funds for the Chemical Stockpile Emergency Preparedness Program (CSEPP) for FY 2009 through March 31, 2013, and for FY 2010, FY 2011 and FY 2012 through September 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 Claims Payment Agreement with Humana Insurance Co. for health insurance plans for the period of January 1, 2013 through December 31, 2013.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreed Order with the Ky. Environmental & Energy Cabinet to resolve water quality violations at the Haley Pike Landfill and authorizing payment of a \$35,000 civil penalty which includes \$30,000 to be used for a supplemental environmental project at the Police Canine Facility.

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 on Patchen Wilkes Dr.

A Resolution authorizing an extension to the timeline for completion for the 2012 Sanitary Sewer Cleaning Program by Leak Eliminators, LLC, to March 25, 2013 at no additional cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Rural and Inner City Adopt-A-Spot Program Agreements with Christ United Methodist Church, BSA #220 (\$1,304.12); Bluegrass Chapter Order of Demolay (\$1,332.32); Paul Lawrence Dunbar Cross Country Boosters (\$1,103.60); Christ Centered Church, BSA #59 (\$1,567.20); Immanuel Baptist Church, BSA #41 (\$1,231.68); St. John's Lutheran Church Venture Crew 279 (\$1,265.40); Rosemont Baptist Church, BSA #98 (\$1,157.40); Beaumont Presbyterian, BSA #279 (\$1,038.28); Greater Faith Apostolic Church, BSA #238 (\$522.98); Christian Youth Fellowship (\$1,942.51); Phillips Memorial Church (\$2,191.56); Boy Scout Troop #103 (\$298.85); Boy Scout Troop #100 (\$772.00); El Shaddai Temple House of Yahweh (\$1,992.32); Boy Scout Troop #186 (\$273.95); Boy Scout Troop #382 (\$448.27); Tates Creek Presbyterian Church BS Troop 226 (\$921.44); Alpha Kappa Alpha-Eta Rho (\$636.12); Lexington Swingers Golf Club Inc. (\$1,616.00); and Alpha Kappa (\$1,023.12) for participation in the Adopt-A-Spot Roadway Cleanup Program, at a cost not to exceed \$22,639.12.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 3 with the Ky. Transportation

Cabinet, for the acceptance of additional funds for the Todds/Liberty Rd. Widening and Reconstruction Project, Section 1, in the amount of \$145,000, the acceptance of which does not obligate the Urban County Government for the expenditure of funds.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Engineering Services Agreements with six (6) prequalified engineering firms: ECSI, LLC, Palmer Engineering Co., Howard K. Bell Consulting Engineers, Inc., Integrated Engineering, PLLC, GRW Engineers, Inc., and Stantec Consulting Services, Inc. to provide engineering services for storm water management projects (Category #3 of RFP #33-2012) related to the Consent Decree Remedial Measures Projects.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Engineering Services Agreements with seven (7) prequalified engineering firms: Florence and Hutcheson, Inc., Nesbitt Engineering, Inc., Bell Engineering, Inc., HDR Engineering, Inc., Strand Associates, Inc., GRW Engineers, Inc., and Stantec Consulting Services, Inc. to provide engineering services for pipeline, manhole, inlet, and junction chamber rehabilitation projects (Category #4 of RFP #33-2012) related to the Consent Decree Remedial Measures Projects.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Contract Amendments with Ashland Park Neighborhood Association, Hill-N-Dale Neighborhood Association, and Chilesburg Maintenance Association, for extension of the completion date of the Neighborhood Action Match Projects to June 1, 2013, December 31, 2013, and June 30, 2013, respectively.

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A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following probationary civil service appointment: Joy Thomas, Custodial Worker, Grade 102N, \$11.15 hourly, in the Div. of Facilities and Fleet Management, effective upon passage of Council; Donald Bandach, Equipment Operator Sr., Grade 109N, \$16.033 hourly, in the Div. of Streets and Roads, effective upon passage of Council; Kimberly Read, Program Administrator, Grade 117E, \$2,716.80 bi-weekly, in the Div. of Youth Services, effective upon passage of Council was given first reading.

Ms. Glenda George, Dept. of Law, requested that the rules be suspended in order to give second reading to the resolution.

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 Ms. Gorton, and seconded by Ms. Lawless, the resolution was approved by the following vote:

Aye: Ellinger, Farmer, Ford, Gorton, Henson,
Kay, Lane, Lawless, Mossotti, Myers,
Scutchfield, Stinnett, Akers, Beard, Clarke-----15

Nay: -----0

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

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

Aye: Ellinger, Farmer, Ford, Gorton, Henson,
Kay, Lane, Lawless, Mossotti, Myers,
Scutchfield, Stinnett, Akers, Beard, Clarke-----15

Nay: -----0

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with the Foster Care Council of Lexington, Ky. Inc. (\$850), Common Good Community Development Corp. (\$875), and Stable of Memories Inc. (\$1,675) for the Office of the Urban County Council, 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 YMCA of Central Ky. (\$500), Lafayette High School Women's Basketball Team (\$575), The Friends of the Ky. Theatre (\$2,100), Friends of Wolf Run, Inc. (\$500) and Athens-Chilesburg PTA (\$1,500), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution endorsing the legalization of regulated industrial hemp and requesting that the Ky. General Assembly consider adopting legislation which would allow for industrial hemp growth and production while addressing any public safety and law enforcement concerns; and hereby notifying Governor Steve Beshear, Senate President Robert Stivers, House Speaker Greg Stumbo, and Fayette County's legislators of this Resolution.

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept the donation of two (2) fans with an estimated value of \$1730, from Delta T Corp. d/b/a Big Ass Fans, for use by the Urban County Council, at no cost to the Urban County Government was given first reading.

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

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

Aye: Ellinger, Farmer, Ford, Gorton, Henson,
Kay, Lane, Lawless, Mossotti, Myers,
Scutchfield, Stinnett, Akers, Beard, Clarke-----15

Nay: -----0

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Mr. Myers spoke about recent news that child care assistance programs in Kentucky were to be cut due to budget constraints, and his desire to urge the Kentucky General Assembly to reconsider.

Mr. Myers asked everyone in the Council Chamber there in to speak on the issue to stand. (The entire chamber stood up with 40 more people in the lobby.) He thanked everyone for coming and for their support.

The following citizens spoke in support of the resolution supporting the Commonwealth of Ky. reconsideration of cutting child care assistance programs: (1) Mr. Jack Burch, Executive Director of Community Action Council; (2) Mr. Kerby Neill, Winchester Road; (3) Mr. Scott Howard, Sutherland Drive; (4) Ms. Jessica Zumwalt, Greentree Road; (5) Ms. Marian Gibson, Hidden Stream Drive; (6) Dr. Susan Pollack, Arcadia Park; (7) Ms. Jennifer Burnam, Alumni Drive; (8) Ms. Tammy Ogle, Alumni Drive; (9) Ms. Myrtle Proctor, Bold Bidder Drive; (10) Ms. Elizabeth Guadiana, Brentmoor Drive; (11) Ms. Nicole Bailey, Georgetown, Ky.; (12) Ms. Robin Kinney, Georgetown, Ky.; (13) Ms. Lillian Sunday, Lexington, Ky.; (14) Mr. Larry Johnson, East 4th Street; (15) Ms. Donnica Sweat, Wilson Street; and (16) Ms. Shaquita Sheldon, Lexington, Ky.

Mr. Myers thanked all of the speakers, and spoke about the impact of the reduction of child care assistance.

Upon motion of Mr. Myers, seconded by Mr. Ellinger, and approved by unanimous vote, a Resolution urging the Commonwealth of Kentucky to clarify and reconsider its decision to cut child care assistance and requesting that the Kentucky General Assembly take appropriate measures to eliminate or reduce the impact this decision will have on impacted families, and hereby notifying the appropriate officials was placed on the docket and given first reading in its entirety.

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

Mr. Ford and Ms. Henson spoke about the resolution, and thanked Mr. Myers for bringing the issue before the Council.

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

Aye: Ellinger, Farmer, Ford, Gorton, Henson,
Kay, Lane, Lawless, Mossotti, Myers,
Scutchfield, Stinnett, Akers, Beard, Clarke-----15

Nay: -----0

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Upon motion of Ms. Akers, seconded by Ms. Lawless, and approved by unanimous vote, a Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Georgetown Street Area Neighborhood Association (GSANA) (\$400), for the Office of the Urban County Council, at a cost not to exceed the sum stated was placed on the docket and given first reading.

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

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

Aye: Ellinger, Farmer, Ford, Gorton, Henson,
Kay, Lane, Lawless, Mossotti, Myers,
Scutchfield, Stinnett, Akers, Beard, Clarke-----15

Nay: -----0

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The following resolutions were given first reading and ordered placed on file until February 12, 2013, for public inspection.

A Resolution accepting the bid of Pace Contracting, LLC, establishing a price contract for Final Clarifier Equipment Replacement, for the Div. of Water Quality.

A Resolution accepting the bid of Intec Property Services, establishing a price contract for Custodial Services - Dr. Samuel Brown Health Center, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Langley and Taylor Pool Corp., in the amount of \$28,051.05, for ADA Swimming Pool Lifts and Installation, for the Div. of Parks and Recreation.

A Resolution accepting the bid of Miller Transportation, Inc., establishing a price contract for Charter Bus Service, for the Div. of Parks and Recreation.

A Resolution accepting the bid of GRW, in the amount of \$55,854.05, for photogrammetric services, for the Div. of Water Quality.

A Resolution ratifying the probationary civil service appointments of: Cristie Taylor, Police Analyst, Grade 111N, \$22.091 hourly, in the Div. of Police, effective February 11, 2013, Jennifer Hollon, Paralegal, Grade 113N, \$20.277 hourly, in the Dept. of Law, effective January 28, 2013 and Denise Washington, Customer Service Specialist, Grade 110N, \$17.490 hourly, in the Div. of Government Communications, effective February 11, 2013; ratifying the probationary sworn appointments of: Kenneth Raglin, Fire Major, Grade 318E, \$3,521.79 bi-weekly, effective January 5, 2013, Eddie Crews and Michael Farmer, Fire Major, Grade 318E, \$3,521.79 bi-weekly, effective January 11, 2013, Todd Reece, Fire Major, Grade 318E, \$3,521.79 bi-weekly, effective January 12, 2013, Joseph Whitt, Fire Captain, Grade 316N, \$23.039 hourly, effective January 5, 2013, Jeffrey Johnson, Marc Bramlage, and Andrew Short, Fire Captain, Grade 316N, \$23.039 hourly, effective January 11, 2013, Chris Bartley and Chad Traylor, Fire Captain, Grade 316N, \$23.039 hourly, effective January 12, 2013, Robert Hannan, Fire Lieutenant, Grade 315N, \$17.740 hourly, effective January 4, 2013, Christopher Rudd, Fire Lieutenant, Grade 315N, \$17.740 hourly, effective January 5, 2013, Jordan Saas, Adam Sorrell, Matthew Swiderski, and Jeremy Poynter, Fire Lieutenant, Grade 315N, \$17.740 hourly, effective January 11, 2013, Nathan Settles and Derek Roberts, Fire Lieutenant, Grade 315N, \$17.740 hourly, effective January 12, 2013, and Robert Forehand, Fire Lieutenant, Grade 315N, \$17.740 hourly, effective

January 13, 2013, all in the Div. of Fire and Emergency Services; ratifying the approved Council Leave for: Tabitha Highley, GIS Specialist, Div. of Computer Services, beginning February 21, 2013 thru March 20, 2013; ratifying the unclassified civil service appointment of: Thomas Blues, Program Specialist, Grade 112E, \$1,628.08 bi-weekly, in the Office of the Mayor, effective February 4, 2013.

A Resolution approving the granting of an inducement to KD Analytical Consulting, Inc., pursuant to the Ky. Business Investment Act (KRS Chapter 154.32), whereby the Lexington-Fayette Urban County Government agrees to forego the collection of one percent (1%) of the occupational license fees for a term of not longer than ten (10) years from the activation date, subject to the limitations contained in the Act and any agreement KD Analytical Consulting, Inc., has with the Ky. Economic Development Finance Authority related to the project, and taking other related action.

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

A Resolution authorizing the Div. of Waste Management, on behalf of the Urban County Government, to purchase six (6) custom Sorting Fingers Discs (STARS) for the Materials Recovery Facility from Machinex Technologies, Inc., a sole source provider, at a cost not to exceed \$31,188.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Engineering Services Agreements with twenty-two (22) prequalified engineering firms: HMB Professional Engineers, Inc., Arcadis U.S. Inc., Florence and Hutcheson, Inc., Ky. Engineering Group, PLLC, CMW Inc., O'Brien and Gere Engineers, Inc., R.M. Johnson Engineering, Inc., MSE of Ky., Inc., Vision Engineering, LLC, Nesbitt Engineering, Inc., ECSI, LLC, EA Partners, PLC, Palmer Engineering Co., Howard K. Bell Consulting Engineers, Inc., Kenvirons, Inc., HDR Engineering, Inc., Strand Associates, Inc., CDP Engineers, Inc., GRW Engineers, Inc., Stantec Consulting Services, Inc., Tetra Tech, Inc., and Integrated Engineering, PLLC, to provide

engineering services for Dig and Replace Pipeline Projects (Category #2 of RFP #33-2012) related to the Consent Decree Remedial Measures Projects.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Release of Easement releasing a portion of a utility easement on property located at 3600 Winthrop Dr.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Commonwealth of Ky. Office of Highway Safety, 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 Federal funds, are for "Click It or Ticket" Safety Belt Enforcement Mobilization, 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 Partial Release of Storm Sewer Easement releasing a portion of a storm sewer easement on property located at 1146 Monarch Dr.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2 to the Contract with Claunch Construction, LLC, for Meadows/Northland/Arlington Public Improvements Project, Phase 3D, increasing the contract price by the sum of \$26,439.86 from \$809,238.90 to \$835,678.76.

A Resolution ratifying the unclassified civil service appointment of: Richard Moloney, Commissioner of Environmental Quality and Public Works, Grade 211E, \$4,616.00 bi-weekly, effective January 23, 2013.

A Resolution changing the street names and property address numbers of 1637 Courtney Ave. to 601 Appletree Ln., of 2280 Thunderstick Dr. to 2255 Buena Vista Rd., of 2051 Capstone Dr. to 2031 Georgetown Rd., of 333 Desha Rd. to 1226 Ghent Rd., of 1504 Colesbury Circle to 547 W. New Circle Rd., and of 1676 McGrathiana Parkway to 1000 Tempur Way; and changing the property address number of 604 E. High St. to 602 E. High St., of 324-334 S. Martin Luther King Blvd. to 326 S. Martin Luther King Blvd., of 346-380 S. Martin Luther King Blvd. to 344 S. Martin Luther King Blvd., and of 1104 Stillwell Ave. to 1100 Stillwell Ave., all effective thirty days from passage.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement Granting Additional Responsibility pursuant to KRS 198B.060(5), with the Commonwealth of Ky.'s Dept. of Housing, Buildings and Construction, specifying the enforcement responsibilities within Lexington-Fayette County, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit two (2) Grant Applications to the Ky. Transportation Cabinet, to provide any additional information requested in connection with these Grant Applications, and to accept the Grants if the applications are approved, which Grant funds are in the amount of \$215,000 Federal funds, are for the Traffic Safety Program (\$165,000) and the Speed Enforcement Project (\$50,000), 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 approving the granting of an inducement to Webasto Roof Systems, Inc., pursuant to the Ky. Business Investment Act (KRS Chapter 154.32), whereby the Lexington-Fayette Urban County Government agrees to forego the collection of one percent (1%) of the occupational license fees for a term of not longer than ten (10) years from the activation date, subject to the limitations contained in the Act and any Agreement Webasto Roof Systems, Inc., has with the Ky. Economic Development Finance Authority related to the project, and taking other related action.

A Resolution approving the unclassified civil service appointment of: Sally Hamilton, Chief Administrative Officer, Grade 213E, \$4,039.00 bi-weekly, in the Office of the Chief Administrative Officer, effective January 23, 2013.

A Resolution ratifying the unclassified civil service appointment of: Geoffrey Reed, Commissioner of General Services, Grade 210E, \$4,038.48 bi-weekly, effective January 23, 2013.

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Mr. Farmer made a motion, seconded by Mr. Beard, the following Communication from the Mayor was received for approval: (1) Recommending the reappointment of Mr. Kenneth B. Cooke, as Conservation/ Environmental Community representative, to the Infrastructure Hearing Board, with a term to expire 2-1-2015.

Ms. Gorton made a motion, seconded by Mr. Kay, and approved by unanimous vote, to amend the list of Communications to include the recommended appointment of Ms. Tiffany K. Fleming, as Fayette County Bar Association representative, to the Ethics Commission, with a term to expire 3-1-2015.

The following amended list of Communications from the Mayor was approved by unanimous vote: (1) Recommending the reappointment of Mr. Kenneth B. Cooke, as Conservation/ Environmental Community representative, to the Infrastructure Hearing Board, with a term to expire 2-1-2015; and (2) Recommending the appointment of Ms. Tiffany Fleming, as Fayette County Bar Association representative, to the Ethics Commission, with a term to expire 3-1-2015.

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The following Communication from the Mayor was received for information only: (1) Acting assignment of Chris Cunningham, Network Security Engineer, Grade 119E, \$2,072.93, in the Div. of Computer Services, effective January 28, 2013.

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Ms. Henson and Ms. Lawless congratulated Ms. Joyce Thomas on her appointment after having worked as a temporary employee for some time.

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Ms. Lawless announced that there would be a meeting of the Aylesford Neighborhood Association on February 5, 2013, at Woodland Christian Church, for a discussion with representatives of the Euclid Avenue Kroger store.

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Mr. Myers thanked Ms. Elizabeth Chatterton for her work on the resolution to be sent to the General Assembly, Mr. Jack Burch of the Community Action Council, the Mayor and his staff, Mr. David Barberie, Dept. of Law, all those who came to speak, and all of his colleagues on the Council.

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Ms. Akers announced that there would be a meeting of the Georgetown Street Neighborhood Association on February 4, 2013, at 6:00 p.m., at the Community Center in Douglass Park. She also announced that the Food Truck Work Group would meet at February 7, 2013, at 8:30 a.m. in the Government Center 5th Floor Conference Room.

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Mr. Bernard McCarthy, Harry Street, spoke about the proposed Town Branch Commons and Civic Center projects.

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Upon motion of Mr. Farmer, seconded by Ms. Gorton, and approved by unanimous vote, the meeting adjourned at 8:07 p.m.

Clerk of the Urban County Council