

Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky September 26, 2013

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on September 26, 2013, at 6:00 P.M. Present were Mayor Jim Gray in the chair presiding, and the following members of the Council: Council Members Mossotti, Myers, Scutchfield, Stinnett, Akers, Beard, Clarke, Ellinger, Farmer, Ford, Henson, Kay, Lane, and Lawless. Absent was Council Member Gorton.

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

Resolutions No. 471-2013 through 489-2013, and Ordinances No. 103-2013 through 112-2013, inclusive, were reported as having been signed and published, and ordered to record.

Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky

September 26, 2013

The Invocation was given by Pastor John C. Lee, Greater Liberty Baptist Church.

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The Mayor spoke about Mr. Robert Jefferson, former Council Member, who was in attendance at the meeting. He then recognized Mr. Ford for a presentation.

Mr. Ford made a motion, seconded by Mr. Clarke, and approved by unanimous vote, to suspend the rules to take a Resolution authorizing the Whitney Young Park Neighborhood Building to be renamed the Charles H. Quillings Neighborhood Building out of order for second reading.

Mr. Ford made a presentation about the renaming of the park building at Whitney Young Park in honor of Mr. Charles Quillings, and asked Mr. Jefferson to make remarks on behalf of the St. Martin's Neighborhood Association as President. Mr. Jefferson spoke about Mr. Quillings' role at the Park. He stated there would be a dedication at a later date at the park building, and thanked the Parks and Recreation Advisory Board.

A Resolution authorizing the Whitney Young Park Neighborhood Building to be renamed the Charles H. Quillings Neighborhood Building out of order was given second reading in its entirety.

Mr. Myers spoke about his experiences with Mr. Quillings, and expressed his approval of the resolution.

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

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

Nay: -----0

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Upon motion of Ms. Scutchfield, seconded by Mr. Myers, the Minutes of the September 12, 2013 Council Meeting were approved by unanimous vote.

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An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of

\$2,250,000 in the Office of the Urban County Council for capital projects from the fund balance of the General Services District Fund, and appropriating and re-appropriating funds, Schedule No. 13 was on the docket for second reading.

Upon motion of Mr. Stinnett, seconded by Mr. Kay, and approved by majority vote, the ordinance was tabled until the October 10, 2013 Council Meeting.

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Upon motion of Mr. Beard, seconded by Mr. Myers, and approved by majority vote of 12-1 (Ms. Mossotti voted **no** and Mr. Lane recused himself when the vote was taken), an Ordinance of the Lexington-Fayette Urban County Government making certain findings concerning and establishing a Development Area for economic development purposes within of the Lexington-Fayette Urban County to be known as The Summit Lexington Development Area; approving a Local Participation Agreement among Lexington-Fayette Urban County Government, the Dept. of Finance of the Lexington-Fayette Urban County Government, and Bayer Properties, LLC (the "Developer"); establishing an Incremental Tax Special Fund for payment of approved public infrastructure costs and land preparation costs; designating the Lexington-Fayette Urban County Government's Dept. of Finance as the agency responsible for oversight, administration, and implementation of the Development Area; and authorizing the Mayor and other officials to take such other appropriate actions as are necessary or required in connection with the establishment of the Development Area was removed from the table and given second reading.

Upon motion of Mr. Beard, and seconded by Ms. Lawless, the ordinance was approved by the following vote:

Aye: Myers, Scutchfield, Stinnett, Beard, Clarke,
Ellinger, Henson, Kay, Lawless-----9

Nay: Mossotti, Akers, Farmer, Ford-----4
(Mr. Lane recused himself when the vote was taken.)

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

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

Nay: -----0

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Associate Traffic Engineer, Grade 115E, and creating one (1) position of Traffic Engineer, Grade 117E, and reclassifying the incumbent, (due to Engineering Licensure obtainment) in the Div. of Traffic Engineering, and appropriating funds pursuant to Schedule No. 14, effective retroactive to June 17, 2013.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Staff Assistant Sr., Grade 108N, and creating one (1) position of Information Systems Specialist, Grade 111N, both in the Div. of Parks and Recreation, and appropriating funds pursuant to Schedule No. 15, 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. 12.

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Upon motion of Mr. Stinnett, seconded by Ms. Mossotti, and approved by unanimous vote, an Ordinance amending Subsections 16-16.2(c)(1), 16-64(c)(1), and 16-404(4)(a) of the Code of Ordinances of the Lexington-Fayette Urban County Government to provide for a penalty for unpaid bills after twenty (20) days was placed on the docket and given first reading.

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

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

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

Nay: -----0

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

An Ordinance amending Article 1 of the Zoning Ordinance to amend the definition of a "vehicle storage yard" to allow inoperable vehicles to be stored no longer than sixty (60) days in a vehicle storage yard. (Urban County Planning Commission).

An Ordinance amending Section 21-5(2) of the Code Of Ordinances, abolishing one (1) position of Environmental Inspector, Grade 113N, and creating one (1) position of Environmental Initiatives Specialist, Grade 115E, both in the Div. of Environmental Policy, effective upon passage of Council.

An Ordinance amending Section 22-5(2) of the Code Of Ordinances, creating one (1) position of Budget Analyst Sr., Grade 118E, with term to expire on December 31, 2014, in the Council Office, effective upon passage of Council.

An Ordinance amending Section 22-5(2) of the Code Of Ordinances, creating one (1) position of Security Officer, Grade 106N, with term to expire on December 31, 2014, in the Div. of Facility and Fleet Services, effective upon passage of Council.

An Ordinance approving and adopting an Amendment to the Div. of Purchasing Revised Regulations for the Procurement of Personal/Professional Services to include additional methods of procuring construction management services.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 16.

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

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

Nay: -----0

A Resolution accepting the bid of Bluegrass Contracting Corp., establishing a price contract for Emergency Pump Connections, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Bluegrass Contracting Corp. related to the bid.

A Resolution accepting the bid of Kiesler Police Supply, establishing a price contract for ammunition, for the Div. of Police.

A Resolution accepting the bid of OmniSource Integrated Supply, LLC d/b/a OmniSource Staffing, establishing a price contract for Temporary Labor, for the Div. of Facilities and Fleet Management, and authorizing the Mayor, on behalf of the Urban

County Government, to execute any necessary Agreement with OmniSource Staffing, related to the bid.

A Resolution accepting the bid of Windstream Communications, Inc., establishing a price contract for Telephone Maintenance, for the Div. of Computer Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Windstream Communications, Inc., related to the bid.

A Resolution ratifying the probationary civil service appointments of: Brooke Gray, Program Specialist, Grade 112E, \$1,517.20 bi-weekly in the Div. of Water Quality, effective October 21, 2013, Michael Thomas, Trades Worker Sr., Grade 109N, \$17.620 hourly in the Div. of Streets and Roads, Johnesia Harris, Telecommunicator, Grade 111N, \$18.603 hourly in the Div. of Police, Thad Scott, Code Enforcement Supervisor, Grade 116E, \$2,253.84 bi-weekly in the Div. of Code Enforcement, all effective upon passage of Council; ratifying the permanent civil service appointment of: Yvonne Brown, Staff Assistant Sr., Grade 108N, \$14.352 hourly in the Div. of Human Resources, effective August 25, 2013; ratifying the Approved Council Leave for: Thomas Keller, Public Service Supervisor, Grade 111N, in the Div. of Streets and Roads, beginning September 4, 2013 to December 4, 2013.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Agreement with Fayette County Board of Education, for Parks and Recreation ESP and REAL Programs, at a cost not to exceed \$70,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Windstream Communications for relocation of utilities for the Clays Mill Rd. Improvements Project Section 2C, at a total cost of \$401,088.62 of which an amount not to exceed \$16,743.76 is the responsibility of the Urban County Government.

A Resolution authorizing a change in use for a portion of the property located at 1050 Delaware Ave., declaring that portion of the property as surplus, and authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute a Deed, and any other documents necessary, for the sale and transfer of the property, the proceeds from which shall be returned to the Community Development Block Grant Program.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Ky. Utilities for relocation of utilities for the Clays Mill Rd. Improvements Project Section 2C, at a total cost of \$42,694.77 of which an amount not to exceed \$35,009.71 is the responsibility of the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with Oracle Elevator, for the Phoenix/Police Headquarters Elevator Renovation Project, increasing the contract price by the sum of \$2,297.31 from \$568,775.00 to \$571,072.31.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Transportation Cabinet, Office of Highway Safety Programs, which Grant funds are in the amount of \$20,000 Federal funds, are for the provision of Distracted Driving Related Services, the acceptance of which does not obligate the Lexington-Fayette Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

A Resolution amending Resolution No. 364-2013 accepting the bid of DMH Construction, Inc., to provide for payment from the correct account.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the U.S. Dept. of Housing and Urban Development, amending the Housing Opportunities for Persons with AIDS Grant to permit use of the Grant funds for operation of a Tenant Based Rental Assistance Program, and authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute an Amendment to Agreement with AIDS Volunteers, Inc., for operation of the program, at no cost to the Urban County Government.

A Resolution authorizing and directing the Dept. of Law to institute condemnation proceedings in Fayette Circuit Court to obtain permanent sanitary sewer and temporary construction easements at 4250 Athens Boonesboro Rd. for the Blue Sky Pump Station and Force Main Project.

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A Resolution accepting the bid of C&R Asphalt, LLC, in the amount of \$35,800, for Asphalt Overlay for Coolavin Park, for the Div. of Parks and Recreation was given first reading.

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

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

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

Nay: -----0

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The following resolutions were given first reading. Mr. David Barberie, Dept. of Law, asked that the rules be suspended in order to give second reading to the resolutions.

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

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

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

Nay: -----0

A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following probationary civil service appointments: William Regensburger, Skilled Trades Worker Sr., Grade 112N, \$24.202 hourly in the Div. of Community Corrections, effective October 14, 2013; Larry Hall, Equipment Operator Sr., Grade 109N, \$15.207 hourly in the Div. of Waste Management, Aubrey Burton, Equipment Operator Sr., Grade 109N, \$16.354 hourly in the Div. of Waste Management, Justin Clark, Microcomputer Support Specialist, Grade 113N, \$16.679 hourly in the Div. of Police, David Dawkins, Microcomputer Support Specialist, Grade 113N, \$19.471 hourly in the Div. of Police, Doug Holloway, Engineering Technician Sr., Grade 113E, \$1,347.44 bi-weekly in the Div. of Water Quality, Martha Allen, Deputy Council Clerk,

Grade 116E, \$1,901.76 bi-weekly in the Council Clerk's Office, all effective upon passage of Council.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute new Account Applications with Humana, for the purpose of offering voluntary benefits to all employees, at no cost to the Urban County Government.

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

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

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

Nay: -----0

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Drug Enforcement Administration, for continuation of the DEA Task Force.

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

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation from Larry Roberts, Fayette County Attorney, of a new canine, for use at the canine unit, at the Div. of Police, at no cost to the Urban County Government.

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

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

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

Nay: -----0

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Ky. Chinese American Association, Inc. (\$625), The

Fayette County Master Gardner Association (\$950), The Lexington Academy of Barbering, Inc. (\$1,100), The Tates Creek High School PTSA, Inc. (\$1,000), and Foster Care Council of LEXKY, Inc. (\$1,025), 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 LexArts (\$250), Harrod Hills Neighborhood Association, Inc. (\$500), and Kentucky PTA (\$1,500) for the Office of the Urban County Council, at a cost not to exceed the sums stated.

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

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

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

Nay: -----0

A Resolution specifying the intention of the Urban County Council to expand and extend the Full Urban Services District #1 to provide street lighting, street cleaning and garbage and refuse collection; finding a need for these services in the area included; finding the ability of the Urban County Government to provide these services in this area, which area is defined as certain properties on the following streets: Louie Pl., Madison Point Dr., Old Towne Walk, Silver Springs Dr., Town Centre Dr., Towne Square Park, Taborlake Circle, Taborlake Ct., Taborlake Cove, Taborlake Dr., Taborlake Pl., Taborlake Point, Taborlake Walk, and Taborlake Ridge.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Bluegrass Community Foundation, which Grant funds are in the amount of \$25,000, for the construction of the Isaac Murphy Memorial Art Garden, 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 necessary documents and accept a Deed from

Transylvania University conveying a permanent easement across the property located at 555 W. Fourth St., for relocation of an air release valve, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Construction Easement Agreement with R.J. Corman Railroad Property, LLC for Fourth Street Improvement Project - Jefferson to Railroad Crossing, at a cost not to exceed \$500.

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two (2) to the Contract with Central Indiana Truck Equipment, a sole source provider, for the cost of a larger CNG fuel tank, increasing the contract price by the sum of \$52,000 from \$1,694,392 to \$1,746,392 was given first reading.

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

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

Aye: Mossotti, Myers, Scutchfield, Stinnett, Akers,
Beard, Clarke, Ellinger, Farmer, Ford,
Henson, Kay, Lane, Lawless-----14
Nay: -----0

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

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

Aye: Mossotti, Myers, Scutchfield, Stinnett, Akers,
Beard, Clarke, Ellinger, Farmer, Ford,
Henson, Kay, Lane, Lawless-----14
Nay: -----0

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Three (3) to the Contract with Churchill McGee, LLC, for the Carver Community Center Renovation for the Newtown Pike Project increasing the contract price by the sum of \$20,477.84 from \$1,100,581.41 to \$1,121,059.25.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Consultant Services Agreement with Fitzsimons Office of Architecture for design and engineering services for Carver Community Center renovation for the Newtown Pike Extension Project, increasing the contract price by the sum of \$7,800 from \$85,000 to \$92,800.

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an amendment to sublease and management agreement with Lexarts, Inc., for management of the Downtown Arts Center, at a cost not to exceed \$109,250.00 in FY2014 was given first reading.

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

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

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

Nay: -----0

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A Resolution amending Resolution No. 286-2011, to approve the granting of an inducement to Lockheed Martin Corp. and its affiliate Lockheed Martin Operations Support, Inc. was given first reading.

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

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

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

Nay: -----0

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept National Mortgage Foreclosure Settlement Funds from the Office of the Attorney General of Ky. in the amount of \$759,125, for use in initiatives that help displaced families, prevent foreclosures and create affordable housing, and

authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the Office of the Attorney General of Ky., related to the funds was given first reading.

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

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

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

Nay: -----0

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Upon motion of Mr. Ellinger, seconded by Mr. Myers, and approved by unanimous vote, a Resolution ratifying the unclassified civil service appointment of: Aldona Valicenti, Chief Information Officer, Grade 212E, \$4,807.69 bi-weekly, in the Office of the Chief Administrative Officer, effective November 4, 2013 was placed on the docket and given first reading.

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

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

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

Nay: -----0

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Upon motion of Mr. Farmer, seconded by Mr. Lane, and approved by unanimous vote, a Resolution amending Section 2 of Resolution No. 473-2013, relating to an Agreement with Central Indiana Truck Equipment Corporation, to correct the cost for purchase of Heil Python Multipack Refuse Truck Bodies to a cost not to exceed \$218,299 each was placed on the docket and given first reading.

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

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

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

Nay: -----0

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A Resolution amending Section 1.102 of Appendix A, Rules and Procedures of the Lexington-Fayette Urban County Council, to provide the date by which a draft of the following year's Council calendar shall be presented to the Urban County Council for review and to provide for scheduled zone change hearing dates, and amending Section 2.102 to provide that the regularly scheduled meeting time for all standing committees, except for the Budget and Finance Committee and the Economic Development Committee, shall alternate each calendar year was on the docket for first reading.

Mr. Myers made a motion, seconded by Mr. Beard, to amend the resolution to provide that one standing committee scheduled at 11:00 a.m. shall not alternate.

Mr. Myers explained his motion.

Mr. Farmer spoke about the motion.

The motion **passed** by majority vote of 13-1 (Mr. Farmer voted **no**.).

A Resolution amending Section 1.102 of Appendix A, Rules and Procedures of the Lexington-Fayette Urban County Council, to provide the date by which a draft of the following year's Council calendar shall be presented to the Urban County Council for review and to provide for scheduled zone change hearing dates, and amending Section 2.102 to provide that the regularly scheduled meeting time for all standing committees, except for the Budget and Finance Committee and the Economic Development Committee, shall alternate each calendar year was given first reading as amended.

Mr. Myers made a motion, seconded by Mr. Ellinger, to suspend the rules for second reading of the resolution, along with two other resolutions.

Mr. Farmer expressed his concerns about the motion to suspend the rules, and asked that the Council wait until Ms. Gorton returned from out of town so that she could be a part of the discussion.

Mr. Stinnett made a motion, seconded by Mr. Ellinger, and approved by unanimous vote, to sever the resolution from the list of other resolutions for a which a request of suspension of the rules had been made by Mr. Myers.

Mr. Myers motion to suspend the rules **failed** by a majority vote of 6-8 (Ms. Mossotti, Ms. Scutchfield, Mr. Stinnett, Mr. Clarke, Mr. Farmer, Ms. Henson, Mr. Lane, and Ms. Lawless voted **no**.).

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 Scodeller Construction, Inc., in the amount of \$111,150, for crack sealing, for the Div. of Streets and Roads, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Scodeller Construction, Inc., related to the bid.

A Resolution accepting the bid of Grant's Excavating, Inc., in the amount of \$570,000, for the Blue Sky Pump Station and Force Main Contract 1 - Pump Station, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Grant's Excavating, Inc., related to the bid.

A Resolution accepting the bid of Hubert Excavating and Contracting, LLC, in the amount of \$1,100,000, for the Blue Sky Pump Station and Force Main Contract 1 - Force Main, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Hubert Excavating and Contracting, LLC, related to the bid.

A Resolution accepting the bid of Cleary Construction, Inc., in the amount of \$735,206, for the East Lake Trunk Sewer Replacement, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Cleary Construction, Inc., related to the bid.

A Resolution accepting the bid of Pavement Technology, Inc., establishing a price contract for Asphalt Surface Maintenance with an Asphalt Rejuvenating Agent, for the Div. of Streets and Roads.

A Resolution accepting the bid of Wolf Creek Co., Inc., establishing a price contract for Extreme Slope Mowers, for the Div. of Parks and Recreation.

A Resolution accepting the bid of Bluegrass Uniforms, Inc. d/b/a Bluegrass Uniforms and Equipment, establishing a price contract for SCBA Maintenance, for the Div. of Fire and Emergency Services.

A Resolution accepting the bid of Hydro Controls, Inc., establishing a price contract for electric actuators, for the Div. of Water Quality.

A Resolution ratifying the probationary civil service appointments of: Jonathan Miller, Equipment Operator Sr., Grade 109N, \$15.207 hourly in the Div. of Streets and Roads, effective September 30, 2013, Michael Lambert, Engineering Technician Sr., Grade 113E, \$2,081.84 bi-weekly in the Div. of Water Quality, effective October 7, 2013, Frank Mabson, Program Specialist, Grade 112E, \$1,419.28 bi-weekly in the Div. of Water Quality, Theodore Adams, Telecommunicator Sr., Grade 113N, \$19.524 hourly in the Div. of Police, both effective upon passage of Council; ratifying the permanent civil service appointments of: Antonio Mack, Public Service Worker, Grade 106N, \$11.470 hourly, Christopher Toutant, Public Service Worker, Grade 106N, \$12.736 hourly, both in the Div. of Parks and recreation, effective September 11, 2013, Rebecca Warner, Staff Assistant Sr., Grade 108N, \$17.643 hourly in the Div. of Police, effective July 21, 2013, William Sinclair, Jr., Trades Supervisor, Grade 113N, \$18.805 hourly in the Div. of Facilities and Fleet Management, effective September 18, 2013.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement with Dr. Patricia K. Howard, retaining her to act as the Emergency Services Training Coordinator for the Div. of Fire and Emergency Services and to provide related services for one (1) year, with the option of renewing annually up to five (5) times, at an annual cost not to exceed \$11,750 with an additional annual cost not to exceed \$11,750 for each year a Paramedic Training Program is conducted.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Second Renewal of the Engineering Services Agreement with Hazen and Sawyer, P.S.C. to provide for Sanitary Sewer Capacity, Management, Operations and Maintenance Program (CMOM) deliverables for Consent Decree implementation, at a cost not to exceed \$345,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Release of Easement, releasing a subsurface drainage easement on property located at 1141 Shagbark Ln.

A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #3 to provide garbage and refuse collection; finding a need for this service in the area included; finding the ability of the Urban County Government to provide this service in this area, which area is defined as certain properties on the following streets: Blazer Parkway, Castlebridge Ln., Donnington Ct., and Fountain Ct.

A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #7 to provide garbage and refuse collection and street cleaning; finding a need for these services in the area included; finding the ability of the Urban County Government to provide the services in this area, which area is defined as certain properties on the following street: Sorrell Way.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Otis Elevator Co., a sole-source provider, to perform maintenance services for the Div. of Community Corrections, at a cost not to exceed \$1,844.40 in FY2014.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with the Federal Bureau of Investigation Dept. of Veteran Affairs for Dept. of Veteran Affairs jurisdiction.

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 Homeland Security and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$900,000 Federal funds, and for replacement of a fire engine and twelve (12) lead automated external defibrillators.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Board of Emergency Medical Services, 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 \$20,400 (\$10,000 for FY2015 and \$10,400 for FY2016)

Commonwealth of Ky. funds, and are for the purchase of EMS equipment, 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 and submit a Grant Application to the Ky. Div. of Emergency Management and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$1,422,000 Federal funds under the Federal Emergency Management Agency's Flood Mitigation Assistance/Pre-Disaster Mitigation Assistance Program, and are for the acquisition and demolition of up to ten residential properties in the Clarksdale Ct. and Shandon Dr./Pierson Dr. areas.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Agreement with various youth baseball leagues, for youth sports for the community, at no cost to the Urban County Government.

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Upon motion of Mr. Ellinger, seconded by Mr. Myers, and passed by unanimous vote, the Communications from the Mayor were approved and are as follows: (1) Recommending the appointment of Ms. Jeannette C. Lucas to the Carnegie Literacy Center Board of Directors, with a term to expire 9-1-2017. The term of Ms. Deborah Slaughter has expired; (2) Recommending the appointment of Mr. Martin Summers, as Preservation-Related Professional representative, and the reappointment of Ms. Billie Dollins, as Banking representative, to the Courthouse Area Design Review Board, with terms to expire 6-30-2017. The term of Mr. Mike Meuser has expired; (3) Recommending the appointments of Dr. Roger C. Cleveland, Ms. LeTonia A. Jones, and Ms. Brenda P. Mannino to the Human Rights Commission, with terms to expire 1-1-2016, 1-1-2014, and 1-1-2016, respectively. Dr. Cleveland will fill the unexpired term of Mr. Robert Murray, Ms. Jones will fill the unexpired term of Mr. Gaston Ngandu-Sankayi, and Ms. Mannino will fill the expired term of Mr. Eli Mertens; (4) Recommending the appointment of Mr. David R. Elsen, as At-Large representative, to the Keep Lexington Beautiful Commission, with a term to expire 2-1-2014. Mr. Elsen will fill the unexpired term of Ms. Jane Eller; and (5) Recommending the appointment of

Mr. Jeff C. Binford to the Library Board of Advisors, with a term to expire 1-1-2014. Mr. Binford will fill the unexpired term of Ms. Sharon Williams.

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The following Communications from the Mayor were received for information only: (1) Resignation of Latisha Williams, Telecommunicator, Grade 111N, in the Div. of Police, effective August 8, 2013; (2) Resignation of Katelyn Kearns, Staff Assistant Sr., Grade 108N, in the Div. of Parks and Recreation, effective August 17, 2013; (3) Resignation of Robert Garr, Public Service Worker, Grade 106N, in the Div. of Waste Management, effective August 15, 2013; (4) Resignation of Michael D. Smith, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective August 12, 2013; (5) Resignation of Robert D. Johnson, Planning Technician, Grade 110N, in the Div. of Planning, effective August 2, 2013; (6) Resignation of James Neal Hall, Information Systems Specialist Sr., Grade 114E, in the Div. of Police, effective August 4, 2013; (7) Resignation of Sarah Elizabeth Gerardi, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective August 4, 2013; (8) Resignation of Codey Zipperle, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective August 2, 2013; (9) Resignation of Drew Hale, Financial Coordinator, Grade 112N, in the Div. of Grants and Special Programs, effective July 17, 2013; (10) Resignation of Thomas D. Miner, Police Officer, Grade 311N, in the Div. of Police, effective August 29, 2013; (11) Resignation of Noade Day, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective August 19, 2013; (12) Resignation of Christopher Jordan, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective August 19, 2013; (13) Resignation of Jeffery Leonard, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective August 21, 2013; (14) Resignation of Clarence Franklin, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective August 25, 2013; (15) Resignation of Tram Reid Rogers, Fire Recruit, Grade 310N, in the Div. of Fire and Emergency Services, effective July 22, 2013; (16) Resignation of Kendall Searcy, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective July 14, 2013; (17) Resignation of Leonard David Miller, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective August 7, 2013; (18) Resignation of Roger Allen

Land, Electrical Instrumentation Technician Sr., Grade 114E, in the Div. of Facilities and Fleet Management, effective August 1, 2013; (19) Resignation of Zachery Christopher Eskue, Fire Recruit, Grade 310N, in the Div. of Fire and Emergency Services, effective August 13, 2013; (20) Resignation of Corey Michael Thomas, Fire Recruit, Grade 310N, in the Div. of Fire and Emergency Services, effective August 7, 2013; (21) Resignation of Richard Thomas Grierson, Fire Recruit, Grade 310N, in the Div. of Fire and Emergency Services, effective August 4, 2013; and (22) Termination of probationary appointment of Shantanna Hunter, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective July 14, 2013.

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Ms. Lawless spoke about utility work that is on-going in the 3rd District. She thanked the Div. of Streets and Roads for their coordination with the utility companies. She asked the public to take heed of the signs requesting that residents not park in areas scheduled for utility work.

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Ms. Henson announced that the Picadome Neighborhood Association would be having a clean-up day on Sunday, September 29, 2013, from 1-4 p.m., meeting at Lafayette Parkway at Southbend.

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Ms. Scutchfield announced that the 2013 Walk to End Alzheimer's would take place on Sunday, September 29, 2013, at 1:00 p.m., at the 5/3 Pavilion downtown.

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Mr. Myers announced that the next 2nd Sunday event on the Legacy Trail would take place on October 13, 2013.

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Ms. Rachel Childress, Pinnacle Court, CEO of Lexington Habitat for Humanity, thanked the Mayor and Council for their support and for designation of recent mortgage settlement funds.

The Mayor wished a happy birthday to Ms. Childress, and also to Ms. Mossotti.

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Mr. Joe Sullivan, Lexington resident, spoke about public safety in Fayette County, and detailed the events during an automobile accident on Larkin Road in which his son had been involved. He stated his concerns about staffing at the Div. of Police.

The Mayor thanked Mr. Sullivan for his comments, and spoke about public safety funding in Lexington-Fayette County.

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Upon motion of Mr. Ellinger, seconded by Mr. Myers, and approved by unanimous vote, the meeting adjourned at 7:21 p.m.

Clerk of the Urban County Council