Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky April 30, 2015

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on April 30, 2015 at 6:00 P.M. Present were Mayor Gray in the chair presiding, and the following members of the council: Council Members Lane, Moloney, Scutchfield, Stinnett, Akers, Bledsoe, F. Brown, J. Brown, Evans, Farmer, Gibbs, Henson, Kay and Lamb. Absent was Council Member Mossotti.

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

Resolutions No. 169-2015 through 183-2015, and Ordinances No. 29-2015 through 30-2015, inclusive, were reported as having been signed and published, and ordered to record.

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky April 30, 2015

The Invocation was given by Pastor Lenroy Jones, Consolidated Baptist Church.

* * *

The Mayor asked for a moment of silence for Firefighter Joe Vissing who passed away Wednesday night, April 29, 2015, after a courageous battle with cancer.

* * *

Upon motion of Ms. Scutchfield and seconded by Ms. Henson the Minutes of the April 16, 2015 Council Meeting was approved by unanimous vote.

* * *

The Mayor asked Ms. Akers to join him at the podium for a presentation on Child Abuse Prevention Month. The Mayor read the Proclamation naming April Child Abuse Prevention Month in Lexington. The Mayor spoke about the important work of Prevent Child Abuse Kentucky.

Ms. Akers spoke about the organization and their work. She introduced Ms. Jill Siefred from Prevent Child Abuse Kentucky.

* * *

The Mayor asked Ms. Billie Mallory to come forward to speak about Dr. Pellom McDaniels.

Ms. Mallory spoke about Dr. McDaniels and introduced him and his family. He is the author of 'The Prince of Jockeys', about Isaac Murphy. She presented the Mayor with an autographed copy of the book, and gave gifts to the McDaniels family including children Ellington and Sophia McDaniels.

The Mayor read a Proclamation in honor of Dr. McDaniels, and named April 30, 2015 Dr. Pellom McDaniels Day in Lexington.

Dr. McDaniels thanked everyone for the recognition, and spoke about his work leading up to publication of the book.

* * *

Upon motion of Bill Farmer, Jr. and seconded by Henson, and approved by unanimous vote, Council allowed a fifteen minute presentation concerning the CentrePointe project.

The Mayor gave a brief history of the events leading up to the issue at hand with the CenterPointe project.

Mr. Joe Rosenberg, 163 East Main Street, investor in the CentrePointe block of property, spoke in favor of the CentrePointe project and about this project in general.

Mr. Dudley Webb, Webb Companies, developer of the CenterPointe project, spoke about the project and the issues with completion.

* * *

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

Upon motion of Mr. Gibbs, seconded by Ms. Henson, and approved by unanimous vote, the ordinance was amended to remove the word "tax", or to amend the word "tax" to the word "assessment", in the description of the type of assessment on properties within the district. Mr. Gibbs stated this was a material change and required a new first reading.

An Ordinance creating and establishing, pursuant to KRS 91.750, et seq., the "Downtown Lexington Management District" and providing for its boundaries; a fifteen member Board, the requirements and appointing process for Board Members, and their term limits; the powers of the Board; a Fiscal Year commencing on July 1st, the undertaking of economic improvements by the Board; a budget and audit process; an affirmative action plan; public information; an assessment not to exceed $.10 of $100 of the assessed property value for each assessed property within the District; a contesting and appeal process; liens; an annual report to property owners; ethical requirements on Board Members; termination of the District in no later than 5 years; Board guidelines;

contracting requirements; management, marketing, and administration; reporting requirements; an advisory council to the Board; severability; all effective upon date of passage with the Management District assessment of properties within the District to take place no earlier than allowable by law was given first reading as amended and ordered placed on file until May 7, 2015 for public inspection.

There being a public hearing on the docket regarding the ordinance for the Downtown Management District, the Mayor asked Mr. Dave Barberie, Dept. of Law, to explained the procedure for the public hearing for the Downtown Management District, and also to explain changes made to the ordinance. Mr. Barberie responded.

Mr. F. Brown asked questions about advertisement of the public hearing. Mr. Barberie responded.

The Mayor opened the public hearing.

The following citizens spoke in support of the Downtown Management District: (1) Mr. John Gohman, East Main Street, Regional President of PNC Bank; (2) Mr. Woodford Webb, downtown property owner representing six property owners; (3) Mr. Thomas Pettit, East Short Street; (5) Mr. Stephanie Hong, East Short Street; (7) Mr. Price Bell, Ridgeway Drive; (8) Mr. Drew Fleming, on behalf of 175 property owners in the District area; (9) Mr. Bill Lear, downtown business employee and owner; (10) Mr. Alan Stein, West Short Street, representing the Commerce Lexington Board of Directors; (11) Mr. Mike Ash, West Main Street, President of 5/3 Bank; (12) Mr. Fred Mills, Merino Street, Employee at The Kentucky Theatre; (13) Mr. Steve Grossman, Managing Director of Hilliard Lyons downtown; (14) Mr. Ken Silvestri, Eagle View Lane, Real Estate Broker; (15) Mr. Dan Rowland, North Martin Luther King Boulevard, resident of the Nunn Building; and (16) Mr. Joe Terry, West Main Street, Immediate Past President, Downtown Lexington Corporation.

The following citizen spoke against the Downtown Management District: (1) Mr. Tom Westerfield, 500s on Main.

Ms. Susan Delph, spoke about issues with snow on downtown sidewalks and roads, and also about a proposal to recycle paper. The Mayor suggested that her comments might be more appropriately made during general public comment. Ms. Delph agreed.

There being no one else to speak, the Mayor declared the public hearing closed at 7:25 p.m.

* * *

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

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

Nay: ----------0

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

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

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

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

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

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

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 53.

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

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

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

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

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

An Ordinance amending the authorized strength by abolishing one (1) Classified Civil Service Position of Engineering Technician, Grade 514N, one (1) Classified Civil Service Position of Associate Municipal Engineer, Grade 519E, one (1) Classified Civil Service Position of Program Specialist, Grade 513E, and one (1) Classified Civil Service

Position of Equipment Operator, Grade 510N, creating one (1) Classified Civil Service Position of SLM Assistant Superintendent, Grade 520E, one (1) Classified Civil Service Position of Engineering Technician Principal, Grade 518E, one (1) Classified Civil Service Position of Public Service Supervisor, Grade 514N, and one (1) Classified Civil Service Position of Maintenance Mechanic, Grade 515N, and changing the pay grade of one (1) Classified Civil Service Position of SLM Superintendent, from grade 520E to 521E and reallocating the incumbent, all in the Div. of Water Quality, and appropriating funds pursuant to Schedule No. 55.

* * *

An Ordinance pursuant to Sections 3.02(24) and 6.12 of the Lexington-Fayette Urban County Government Charter abolishing one (1) Classified Civil Service Position of Administrative Officer, Grade 523E and one (1) Unclassified Civil Service Position of Security Officer P/T, Grade 507N, both in the Div. of Facilities and Fleet Management, and creating one (1) Classified Civil Service Position of Administrative Officer, Grade 523E, and one (1) Unclassified Civil Service Position of Security Officer P/T, Grade 507N, both in the Dept. of Public Safety, and transferring the following Classified Civil Service Positions: one (1) position of Administrative Officer, Grade 523E, one (1) position of Security Supervisor, Grade 514N, and twelve (12) positions of Security Officer, Grade 507N, and the following Unclassified Civil Service Position: one (1) position of Security Officer P/T, Grade 507N, and transferring all authorized incumbents at their current job classification, pay grade and salary, from the Div. of Facilities and Fleet Management to the Dept. of Public Safety, effective upon passage of Council was on the docket for first reading.

Ms. Lamb made a motion, seconded by Ms. Bledsoe, and approved by unanimous vote, to remove the ordinance from the docket because of typographical errors and to replace it with a new ordinance title.

An Ordinance pursuant to Sections 3.02(24) and 6.12 of the Lexington-Fayette Urban County Government Charter amending the authorized strength by abolishing the following Classified Civil Service Positions: one (1) position of Administrative Officer, Grade 523E, one (1) position of Security Supervisor, Grade 514N, and twelve (12) positions of Security Officer, Grade 507N, in the Div. of Facilities and Fleet Management, and creating the following Classified Civil Service Positions: one (1)

position of Administrative Officer, Grade 523E, one (1) position of Security Supervisor, Grade 514N, and twelve (12) positions of Security Officer, Grade 507N, in the Dept. of Public Safety; abolishing the following Unclassified Civil Service Position: one (1) position of Security Officer P/T, Grade 507N, in Div. of Facilities and Fleet Management, and creating the following Unclassified Civil Service Position: one (1) position of Security Officer P/T, Grade 507N, in the Dept. of Public Safety, and transferring the incumbents at their current job classification, pay grade and salary, from the Div. of Facilities and Fleet Management to the Dept. of Public Safety, effective July 1, 2015 was given first reading and ordered placed on file until May 7, 2015, for public inspection.

* * *

The following ordinances were given first reading and ordered placed on file until May 7, 2015, for public inspection.

An Ordinance changing the zone from a Wholesale & Warehouse Business (B-4) zone to a Highway Service Business (B-3) zone, for 0.47 net (0.69 gross) acre; and from a Two-Family Residential (R-2) zone to a Highway Service Business (B-3) zone, for 0.55 net (0.62 gross) acre, for property located at 836 & 840 Winchester Rd.; 912, 916, 920 & 922 Detroit Ave.; and a portion of 915, 917, 919 & 921 Dayton Ave., including a dimensional variance (Jake Riordan & Mark A. Jeter; Council District 5).

An Ordinance amending Article 17 of the Zoning Ordinance to allow multi-tenant listings on free-standing signs in the Planned Shopping Center (B-6P) zone. (Ruggles Sign).

An Ordinance pursuant to Section 6.12 of the Lexington-Fayette Urban County Government Charter renaming the Office of Chief Information Officer to the Dept. of Information Technology, 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. 56.

An Ordinance amending the authorized strength by abolishing, one (1) vacant Classified Civil Service Position of Service Writer, Grade 510N, in the Div. of Parks and Recreation and creating one (1) vacant Classified Civil Service Position of Service Writer, Grade 510N, in the Div. of Facilities and Fleet Management, transferring the

position and its funds; and appropriating funds pursuant to Schedule No. 58, effective upon passage of Council.

An Ordinance amending the authorized strength by changing the pay grade of one (1) Classified Civil Service Position of Safety Coordinator, from Grade 514N to 516N and reallocating the incumbent, in the Div. of Streets and Roads, and appropriating funds pursuant to Schedule No. 59.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to provide funds for General Fund reallocation projects as approved at the April 28, 2015 Work Session and appropriating and re-appropriating funds, Schedule No 62.

* * *

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

Mr. Lane asked questions of Mr. Geoff Reed, Dept. of General Services, regarding the Idle Hour Park project. Mr. Reed responded.

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

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

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

* * *

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

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

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

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

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

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

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

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

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

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

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

A Resolution ratifying the Probationary Civil Service Appointments of: Greta Giles, Staff Assistant Sr., Grade 510N, $15.128 hourly, effective May 4, 2015 and Diane Lewis, Administrative Specialist, Grade 513N, $17.274 hourly, effective April 20, 2015 both in the Div. of Revenue and Robert Austin, Public Service Supervisor, Grade 514N, $20.358 hourly in the Div. of Water Quality, effective April 20, 2015; ratifying the Permanent Civil Service Appointments of: James Moore, License Inspector, Grade 512N, $20.248 hourly in the Div. of Revenue, effective March 22, 2015, Daniel Estes, Public Service Supervisor, Grade 514N, $19.724 hourly,

effective March 22, 2015, Daniel Petersen, Equipment Operator Sr., Grade 512N, $16.681 hourly and Michael Jordan, Public Service Worker Sr., Grade 509N, $17.490 hourly, both effective March 15, 2015, and all in the Div. of Streets and Roads, Fredrick Cotton, $16.066 hourly, effective January 14, 2015 and Patrick Wright, $17.579 hourly, effective January 21, 2015, both Resource Recovery Operator, Grade 513N in the Div. of Waste Management, Kikoko Lusiwe, Custodial Worker, Grade 505N, $12.463 hourly in the Div. of Family Services, effective March 8, 2015, and Travis Noel, $19.162 hourly and Joshua Toomey, $18.599 hourly, both Heavy Equipment Technician, Grade 516N, effective March 15, 2015, and James Duncan, Skilled Trades Worker Sr., Grade 517N, $24.686 hourly, effective March 8, 2015 all in the Div. of Facilities and Fleet Management; ratifying the Probationary Community Corrections Appointment of: Bradley Baker, Community Corrections Sergeant, Grade 112N, $23.579 hourly in the Div. of Community Corrections, effective April 6, 2015; ratifying the voluntary demotion of: Manwell Benton, Resource Recovery Operator, Grade 513N, $21.468 hourly in the Div. of Waste Management, effective March 23, 2015; and ratifying the appointment of: Wanda Wallen, Equipment Operator Sr., Grade 512N, $20.005 hourly in the Div. of Water Quality, effective March 9, 2015, due to failure to successfully complete the probationary period.

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

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

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Transportation Cabinet, which

Grant funds are in the amount of $1,278,000 Federal funds, are for design of Phases IV, V, and VI of the Town Branch Trail under the Congestion Mitigation and Air Quality Program, the acceptance of which obligates the Urban County Government for the expenditure of $257,600 as a local match.

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

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

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

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

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

A Resolution declaring as surplus and authorizing the Dept. of General

Services to transfer, on behalf of the Lexington-Fayette Urban County Government, a junked 2014 Ford Explorer to the Automotive Technology Program at Bluegrass Community and Technical College.

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

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

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Certificate of Consideration and any other documents necessary, and to accept Deeds, for property located at 277 Lafayette Pkwy., 283 Lafayette Pkwy. and 1856 Clays Mill Rd., for the acquisition and demolition required for the Hazard Mitigation Grant Program, at a cost not to exceed $500,000.

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

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

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

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

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

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

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant for stormwater quality projects to Link-Belt Construction Equipment Company, L.P., LLLP, at a cost not to exceed $175,000.

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

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

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Transportation Cabinet, which Grant funds are in the amount of $361,600 (FHWA Planning), $48,400 (Federal

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

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Education Fund for Handicapped Children, which Grant funds are in the amount of $11,000 Commonwealth of Ky. funds, are for therapeutic recreation activities and programs for disabled persons and the acceptance of which does not obligate the Lexington-Fayette Urban County Government for the expenditure of funds.

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

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

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

A Resolution authorizing and directing the Mayor, on behalf of the Urban

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

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

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

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

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

A Resolution expressing the Urban County Council's opposition to the closing of the United States Postal Service (USPS) mail processing facility on Nandino Blvd., and encouraging the preservation of postal jobs at this location in Lexington-Fayette County.

* * *

A Resolution authorizing the Div. of Human Resources to make conditional offers to the following Probationary Civil Service Appointments: Corey Hislope, Public Service Worker Sr., Grade 509N, $14.066 hourly in the Div. of Streets and Roads, effective upon passage of Council, Samuel Gross, Public Service Worker, Grade 507N, $12.209 hourly in the Div. of Water Quality, effective upon passage of Council, Royce Reeves, Logistics Officer, Grade 508N, $15.735 hourly in the Div. of Emergency Management/911, effective May 18, 2015, and Otto Helmuth, Skilled Trades Worker Sr., Grade 517N, $24.411 hourly in the Div. of Fire and Emergency Services, effective May 18, 2015; and

authorizing the Div. of Human Resources to make a conditional offer to the following Unclassified Civil Service Appointment: George Young, ESP Coordinator, Grade 514E, $1,381.06 biweekly in the Div. of Parks and Recreation, effective upon passage of Council was given first reading.

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

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

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

Nay: ----------0

* * *

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Lakeshore Village, Inc. ($1,350) and Crossroads Christian Church ($800), for the Office of the Urban County Council, at a cost not to exceed the sums stated was given first reading.

Upon motion of Ms. Scutchfield, 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 Mr. Gibbs, the resolution was approved by the following vote:

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

Nay: ----------0

* * *

A Resolution supporting the Safe Routes to School (SRTS) Program, a proposed partnership between the Lexington-Fayette Urban County Government and the Fayette County Board of Education, for the establishment and maintenance of safe routes for children and parents biking and walking to school in Lexington-Fayette County was given first reading.

Upon motion of Mr. J. Brown, seconded by Mr. Farmer, the rules were suspended by unanimous vote.

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

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

Nay: ----------0

* * *

A Resolution ratifying the Dept. of Law's execution, on behalf of the Urban County Government and subject to the approval of the Ky. Public Service Commission, of a unanimous Settlement Agreement, Stipulation and Recommendation, and any other necessary settlement documents, in Ky. Public Service Commission Case No. 2014-00371, pertaining to the rates of Ky. Utilities Co. was given first reading.

Upon motion of Ms. Henson, seconded by Mr. Kay, the rules were suspended by a majority voice vote.

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

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

Nay: ----------0

* * *

Upon motion of Ms. Henson, seconded by Ms. Evans, and approved by unanimous vote, a Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with Churchill McGee, LLC, for Public Safety Operations Center Phase 1B Renovation, increasing the contract price by the sum of $18,033.79 from $6,109,000.00 to $6,127,033.79 was placed on the docket and given first reading.

Upon motion of Mr. Moloney, seconded by Mr. Kay, the rules were suspended by majority vote (Mr. F. Brown voted **no**).

Mr. F. Brown explained that his vote on the suspension of rules had to do with a procedural objection.

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

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

Nay: ----------0

* * *

The following resolutions were given first reading and ordered placed on file until May 7, 2015, for public inspection.

A Resolution accepting the bids of S & T Fencing, Inc.; Herb Geddes Fence Co., Inc.; and Myers Fence, LLC, establishing price contracts for fencing for the Div. of Parks and Recreation.

A Resolution accepting the bid of Randle-Davies Construction Co., LLC, in the amount of $49,880, for Asphalt Repair for Tennis and Basketball Courts (Waverly Park), and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary agreement related to the bid.

A Resolution accepting the bid of Bluegrass Contracting Corp., in the amount of $864,959.22, for the Meadows Northland Arlington (Oak Hill Drive) 5D, for the Div. of Engineering, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Bluegrass Contracting Corp., related to the bid.

A Resolution accepting the bid of Whayne Supply Co., establishing a price contract for Emergency Generators and Accessories, for the Div. of Water Quality.

A Resolution accepting the bid of J. Edinger & Son, Inc., establishing a price contract for Snow Plows, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of C&R Asphalt, LLC, in the amount of $22,200, for Asphalt Repair for Basketball Courts (Lou Johnson Park), for the Div. of Parks and Recreation, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary agreement related to the bid.

A Resolution accepting the bid of Tennis Technology, Inc., in the amount of $55,554, for Asphalt Repair for Tennis Courts (Meadowthorpe and Shillito Parks), for the Div. of Parks and Recreation, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary agreement related to the bid.

A Resolution accepting the bid of Roberts Heavy Duty Towing, Inc., establishing a price contract for towing services for the Divs. of Police and Code Enforcement, the Dept. of General Services, and the Lexington and Fayette County Parking Authority.

A Resolution ratifying the Probationary Civil Service Appointments of: Eric Reid, Support Specialist, Grade 512N, $15.301 hourly in the Div. of Computer Services, effective May 18, 2015, Melvin Clemmons, Solids Processing Supervisor, Grade 519E, $1,971.28 biweekly in the Div. of Water Quality, effective May 4, 2015, Darrell Morbley, $16.379 hourly and Harry Ashby, $14.312 hourly, both Public Service Worker, Grade 507N, in the Div. of Waste Management, effective May 4, 2015, Ersula Killens, Public Service Supervisor, Grade 514N, $17.800 hourly in the Div. of Facilities and Fleet Management, effective May 4, 2015, and Thomas Allen II, Public Service Worker Sr., Grade 509N, $13.218 hourly in the Div. of Parks and Recreation, effective May 4, 2015; and ratifying the Permanent Civil Service Appointments of: Donnie Salmons, Telecommunicator, Grade 513N, $21.164 hourly in the Div. of Police, effective April 6, 2015 and Ban Hasan, Clerical Assistant, Grade 505N, $13.516 hourly in the Div. of Family Services, effective March 22, 2015.

A Resolution authorizing the Div. of Water Quality to purchase stationary hazardous gas monitoring equipment for the West Hickman Waste Water Treatment Plant, from Sierra Monitor Corp., a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Sierra Monitor Corp. related to the procurement, at a cost not to exceed $59,291.98.

A Resolution accepting the Response of Cornerstone Environmental Group, LLC to RFP No. 1-2015 Design of Landfill Cap for Haley Pike Landfill, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Cornerstone Environmental Group, LLC to provide services related to the RFP, at a cost estimated not to exceed $43,630.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation from the Meadows-Loudon Neighborhood Association of $2,317.90 for the purchase of one park bench and Burr Oak trees to be placed in Castlewood Park at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Accela, Inc., for the Accela Civic Platform Project, increasing the contract price by the sum of $134,752.00 from $1,198,788.20 to $1,333,540.20.

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 Labor and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of $1,050,000 Federal funds, and are for the development and implementation of an employment training program for court-involved youth.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Contract Amendments with Headley Green Homeowners Association, Gratz Park Neighborhood Association, Northside Neighborhood Association, and Ashland Neighborhood Association, for extension of the completion date of the Neighborhood Action Match Project to December 31, 2015, and to change the scope of work for the Headley Green Homeowners Association Contract to include the installation of monkey grass and plants along the drainage ditch/basin area, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with IBM Business Continuity and Recovery Services for the Disaster Recovery Equipment Project, increasing the contract price by the sum of $51,660 from $84,360 to $136,020.

A Resolution supporting and encouraging the establishment of the Forest Health Research and Education Center (FHC) at the University of Ky., for the expansion of critical research and educational programming and to address increased threats from invasive pests and pathogens on trees and forests throughout the region.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration and any other necessary documents, and to accept a deed for property located at 1604 Ft. Sumter Dr. for the Ft. Sumter Dr. Stormwater Improvements Project, at a cost not to exceed $180,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government and pursuant to Resolution No. 181-74 and Ordinance No. 4-75, to execute a Memorandum of Understanding with the American Federation of State, County and Municipal Employees, AFSCME Local 4468, to non-wage related benefits and working conditions for certain employees in the Div. of Waste Management.

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 Meadow Ln. at New Circle Rd. Modified Access Project, at a cost not to exceed $5,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration and any other necessary documents, and to accept a deed for property located at the intersection of Liberty Rd. at Winchester Rd. for additional funding, for the Liberty Rd. at Winchester Rd. Improvement Project, at a cost not to exceed $30,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Purchase of Service Agreement with Lighthouse Ministries, for the completion of a full-service dining facility for the provision of meals for low-income and homeless individuals, at a cost not to exceed $67,657.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Riddell Construction, Inc., for the Coroner/Community Action Center Renovation Project, decreasing the contract price by the sum of $247.62 from $597,720.00 to $597,472.38.

A Resolution accepting the response of CITYVisions Associates, LLC, and AU Associates, Inc., to RFP No. 9-2015 - Development Agent Services for the Old Fayette County Courthouse, and authorizing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement with CITYVisions Associates, LLC, and AU Associates, Inc., to provide services related to the RFP at a cost not to exceed $500,000 for Phase 1A, with any additional services and phases provided under the Agreement contingent upon sufficient funds being appropriated in future Fiscal Year(s), for a total cost not to exceed $1,275,000 for the entire project.

A Resolution authorizing the Mayor, on behalf of the Urban County Government,

to execute a Consultant Services Agreement with Element Design, PLLC, for the Idle Hour Park Improvements Project at a cost not to exceed $33,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with GRW Engineers, Inc., for the West Hickman Waste Water Treatment Plant Administration Building Expansion/Improvements Project, decreasing the contract price by the sum of $54,690 from $95,870 to $41,180.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Rental Agreement with Fayette County Board of Education, for a fire recruit testing site, at a cost not to exceed $1,200.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Contract with the Prudential Insurance Co. of America, for group life insurance for all LFUCG employees, effective January 1, 2015, at a cost not to exceed $775,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Rabbit Run Homeowners Association ($1,000), Palomar Hills Community Association ($600), The Village of Rabbit Run Condo Association ($500), Aylesford Place Neighborhood Association ($500), Mentelle Neighborhood Association ($1,000), Growing Together Preschool ($1,050), Mary Todd Lincoln House ($550), Captain Underwood Young Marines ($800), LexArts on behalf of Art Connects ($1,000), Historic Woodward Heights Neighborhood Association ($500), Bell Court Neighborhood Association ($900), and East End Community Development Corp. ($500), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

* * *

Upon motion of Ms. Henson, seconded by Mr. Farmer, and passed by unanimous vote, the Communications from the Mayor were approved, and are as follows: (1) Recommending the appointment of Council Member Peggy Henson, as Council representative, to fill the unexpired term of Mr. Chris Ford, and the reappointment of Ms. Dianet Valencia, as At-Large representative, to fill the unexpired term of Ms. Sandy Cannon, to the Board of Health with terms to expire 12/31/2018 and 6/30/2015 respectively; (2) Recommending the appointment of Ms. Jennifer Crockett, to

CASA of Lexington, with term to expire 4/29/2019; (3) Recommending the appointment of Council Member Amanda Bledsoe, as Council representative, to the City Employees' Pension Fund Board, with term to expire 12/31/2017; (4) Recommending the appointments of Ms. Margaret Allison, as Specific Disabilities representative, and Mr. David Beach, as University of Kentucky representative, to the Commission on Citizens with Disabilities, with terms to expire 4/29/2019; (5) Recommending the appointment of Council Members Amanda Bledsoe and Jennifer Scutchfield, as Council representatives, to the Corridors Commission, with terms to expire 8/1/2015 and 8/1/2017 respectively. Council Member Bledsoe will fill the unexpired term of Mr. Harry Clarke, and Council Member Scutchfield will fill the unexpired term of Mr. Julian Beard; (6) Recommending the appointment of Mr. John Parker to the Homelessness Prevention & Intervention Board, with term to expire 4/29/2019; (7) Recommending the appointment of Mr. Charles Denham, as Civil Engineer representative, to the Infrastructure Hearing Board, with term to expire 4/30/2018; (8) Recommending the reappointment of Mr. Don Robinson, as Farm Bureau representative, to the Rural Land Management Board, with term to expire 4/29/2019; and (9) Recommending the reappointment of Mr. Chris Ford, as Commissioner, to the Social Services Advisory Board, with term to expire 4/29/2019.

* * *

The following Communication from the Mayor was received for information only: (1) Transfer of Juan Jackson, Public Service Worker, Grade 507N, from the Div. of Facilities and Fleet Management to the Div. of Waste Management, effective May 4, 2015.

* * *

Ass't Chief Kristin Chilton, Div. of Fire and Emergency Services, stated Firefighter Bryan Duty had committed the offense of violation of 1) UDG 2.01 Conduct Unbecoming, and 2) UDG 1.05 Insubordination in violation of KRS 95.450 (inefficiency, misconduct, insubordination or violation of law or rule) and the LFUCG Uniform Disciplinary Code in that on the 14th day of March, 2015, he allegedly committed offense outlined in IA Case 2015-FC-0003, reviewed by the Pre-Disciplinary Review Board on April 8, 2015 and the Fire Chief on April 9, 2015, and that the appropriate

punishment for this offense is a 48-hour suspension, repeat LFD social media course, and attend the sensitivity training course provided by LFUCG Div. of Human Resources.

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

* * *

Ms. Lamb announced the groundbreaking on the University of Kentucky campus for the new roundabouts on Alumni Drive would take place on Monday, May 4, 2015, at 11:00 a.m.

* * *

Mr. F. Brown announced that the Armstrong Mill West Small Area Plan had been approved that afternoon by the LFUCG Planning Commission.

* * *

Mr. Robert Morris, Lexington resident, spoke about the CenterPointe project, and gave a short presentation.

Mr. Morris' time expired. Upon motion of Mr. Lane, seconded by Ms. Akers, and approved by unanimous vote, additional time for presentation was allotted to Mr. Morris.

Mr. Morris continued his presentation.

* * *

Mr. Bill Johnston, Short Street, spoke about the CenterPointe project.

* * *

Upon motion of Ms. Scutchfield, seconded by Ms. Bledsoe, and approved by unanimous vote, the meeting adjourned at 8:21 p.m.

_____

Clerk of the Urban County Council