

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky

August 27, 2015

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on August 27, 2015 at 6:00 P.M. Present were Mayor Gray in the chair presiding, and the following members of the council: Farmer, Gibbs, Hensley, Henson, Kay, Lamb, Moloney, Mossotti, Scutchfield, Stinnett, Akers, Bledsoe, F. Brown, and Evans. Council Member J. Brown was absent. The reading of the Minutes of the previous meeting was waived.

Resolutions No. 493-2015 through 497-2015, and Ordinances No. 89-2015 through No. 91-2015, inclusive, were reported as having been signed and published, and ordered to record.

Lexington- Fayette Urban County Government Council Meeting

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August 27, 2015

The Invocation was given by Rev. Carol Ruthven, St. Andrews Episcopal Church.

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Upon motion of Mr. Farmer, seconded by Ms. Mossotti, the Minutes of the August 13, 2015 Council Meeting and the August 18, 2015 Special Council Meeting were approved by unanimous vote.

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Mr. J. Brown arrived to the meeting.

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The Mayor asked Mr. Moloney to join him to recognize the Aviation Museum of Ky.. He spoke about the history of the Aviation Museum and its achievements.

Mr. Moloney spoke about the Museum and that he's looking forward to working with representatives of the Museum.

The Mayor read the Proclamation, and presented it to Mr. David Riggins, Aviation Museum. The Mayor proclaimed August 27, 2015 Aviation Museum of Ky. Day in Lexington.

Mr. Riggins offered his thanks on behalf of the Board of Trustees and the Museum. He recognized Mr. Robert Riggs as well.

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The Mayor asked Ms. Mossotti to join him to recognize the members of the Lions Club in attendance. The Mayor spoke about the achievements of the Lions Club and thanked them for joining him at the meeting.

Ms Mossotti spoke about the Lexington Lions Club's history, community service and generosity.

President Mac Ferguson appeared with Members Mr. Charles Gray and Mr. Ferguson spoke about the local organization.

The Mayor read the commemoration and praised the members of the Lions Club for making a difference in the lives of Lexington citizens. He presented the commemoration Mr. Ferguson.

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The Mayor asked for a moment of silence to be observed noting that August 27, 2015, was the 9th anniversary of the Flight 5191 tragedy in Lexington.

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The Mayor opened a public hearing on the Thistle Station Tax Increment Financing Project at 6:19 p.m. He invited Mr. Bruce Simpson, attorney for the developers, to speak about the project.

Mr. Simpson showed renderings of the proposed project and gave the history of the project. He also gave the reason for the hearing, and talked about tax increment financing.

Mr. John Farris, Commonwealth Economics, spoke about the Tax Increment Financing Project.

As there were no other parties who appeared to speak, the Mayor declared the public hearing closed at 6:26 p.m.

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Upon motion of Mr. Kay, seconded by Ms. Akers, and approved by unanimous vote, the Council went into closed session pursuant to KRS 61.810(1)(c) for the purpose of discussions regarding pending litigation. The Council went into closed session at 6:27 p.m.

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Upon motion of Mr. Kay, seconded by Ms. Scutchfield, and approved by unanimous vote, the Council returned from closed session at 7:33 p.m.

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

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

Nay: -----0

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 3.

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The Mayor read the preamble to the public hearing on the ad valorem tax rate ordinances including ordinances #2, #3, #4 and #5. He opened the public hearing on the ad valorem tax rate ordinances at 7:35 P.M. There were no comments from the public and the Mayor closed the public hearing at 7:36 P.M.

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

Aye: Farmer, Gibbs, Hensley, Henson, Kay,
Lamb, Moloney, Mossotti, Stinnett, Akers,
J. Brown, Evans -----12

Nay: Scutchfield, Bledsoe, F. Brown-----3

An Ordinance levying ad valorem taxes for purposes of support of the Agricultural Extension Office for the Fiscal Year July 1, 2015 through June 30, 2016, on the assessed value of all taxable real and personal property within the taxing jurisdiction of the Lexington-Fayette Urban County Government (all taxes on each \$100.00 of assessed valuation as of the January 1, 2015 assessment date), as follows: \$.0035 on all taxable real property, including real property of public service companies, \$.0038 on taxable personal property, including personal property of public service companies, noncommercial aircraft, and noncommercial watercraft, and excluding inventory in transit, insurance capital, tobacco in storage, and agricultural products in storage; and levying an ad valorem tax for purposes of support of the Agricultural Extension Office at the rate of \$.0032 on each \$100.00 of assessed value on all motor vehicles and watercraft within the taxing jurisdiction of the Lexington-Fayette Urban County Government as of the January 1, 2016 assessment date.

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

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

Nay: -----0

An Ordinance levying ad valorem taxes for municipal purposes for the Fiscal Year July 1, 2015 through June 30, 2016, on the assessed value of all taxable property within the taxing jurisdictions of the Lexington-Fayette Urban County Government (all taxes on each \$100.00 of assessed valuation as of the January 1, 2015 assessment date), as follows: General Services District, \$.0800 on real property, including real property of public service companies, \$.0915 on personal property, including personal property of public service companies, noncommercial aircraft, and noncommercial

watercraft, \$.1500 on insurance capital, \$.0150 on tobacco in storage, and \$.0450 on agricultural products in storage; Full Urban or Partial Urban Services Districts based on urban services available on real property, including real property of public service companies, \$.1431 for Refuse Collection, \$.0210 for Street Lights, \$.0097 for Street Cleaning, \$.0920 on insurance capital, \$.0150 on tobacco in storage, \$.0450 on agricultural products in storage; abandoned urban property \$1.00; and levying an ad valorem tax for municipal purposes at the rate of \$.0880 on each \$100.00 of assessed value on all motor vehicles and watercraft within the taxing jurisdiction of the Lexington-Fayette Urban County Government as of the January 1, 2016 assessment date.

An Ordinance levying ad valorem taxes for purposes of support of the Soil and Water Conservation District for the Fiscal Year July 1, 2015 through June 30, 2016, on the assessed value of all taxable real property within the taxing jurisdiction of the Lexington-Fayette Urban County Government, including real property of public service companies, at a rate of \$.000516 (to be billed at \$.0005) on each one hundred dollars (\$100.00) of assessed valuation as of the January 1, 2015, assessment date.

An Ordinance adopting the request of the Lexington-Fayette County Health Dept. under KRS 212.755 and levying a special ad valorem public health tax for the Fiscal Year July 1, 2015 through June 30, 2016, on the assessed value of all taxable real and personal property within the taxing jurisdiction of the Lexington-Fayette Urban County Government, including real and personal property of public service companies, noncommercial aircraft, noncommercial watercraft, and inventory in transit, and excluding insurance capital, tobacco in storage, and agricultural products in storage, at the rate of \$.028 on each \$100.00 of assessed value as of the January 1, 2015 assessment date; and levying a special ad valorem public health tax at the rate of \$.028 on each \$100.00 of assessed value on all motor vehicles and watercraft within the taxing jurisdiction of the Lexington-Fayette Urban County Government, as of the January 1, 2016 assessment date.

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An Ordinance amending Chapter 18A of the Code of Ordinances relating to vehicles for hire as follows: amending Section 18A-1(6) to include the definition of taxicab and transportation network company services; creating Section 18A-1(10) to define wheelchair accessible taxicab; amending Section 18A-3 to lower the required

minimum number of taxicabs in a fleet from twenty-five (25) to ten (10) and to allow the addition of taxicabs in a fleet by increments of one (1); amending Section 18A-6 to allow a waiver or reduction in annual permit fees for wheelchair accessible taxicabs; amending Section 18A-16 to allow a mobile application to be used in place of taximeter; amending Section 18A-21 to delete the two-way communication and central dispatch and twenty-four (24) hour service, three hundred sixty-five (365) days per year requirements; and amending Section 18A-22 to allow for electronic maintenance of manifests was on the docket for second reading.

Ms. Henson made a motion, seconded by Mr. Kay to remove ordinance #6 from the docket and place it in the Planning and Public Safety Committee for review.

Ms. Akers asked Ms. Henson about the purpose of her motion. Ms. Henson responded.

The motion passed by unanimous vote and the ordinance was placed into the Planning and Public Safety Committee for review.

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An Ordinance amending Articles 1, 8, 11 and 23A of the Zoning Ordinance to address recreational and tourism land uses in all zones was on the docket for first reading.

Ms. Lamb made a motion, seconded by Mr. Farmer, to conduct a Council workshop to discuss recreational Zoning Ordinance text amendments on November 10, 2015 at 10:00 A.M.

Mr. Kay asked for clarification on what happens with the ordinance regarding first reading. Mr. Dave Barberie, Dept. of Law, responded.

Ms. Lamb spoke about the intention of her motion.

Ms. Akers asked Mr. Barberie about the Zoning Ordinance text amendment approval process. Mr. Barberie responded.

Council discussed the ordinance and the motion.

The motion was approved by a majority vote (Mr. Moloney and Ms. Akers voted **no**).

Council discussed the public hearing process and workshop for the recreational Zoning Ordinance text amendment.

Ms. Lamb made a motion, seconded by Mr. Gibbs to schedule a public hearing on Monday, December 7, 2015 at 5:00 PM. The motion failed by majority vote. (Farmer, Gibbs, Kay, Scutchfield, Stinnett, Akers, Bledsoe, and Evans voted **no**.)

Council discussed the ordinance.

Ms. Evans asked procedural questions.

Upon motion by Ms. Lamb, seconded by Ms. Henson, and approved by unanimous vote, the ordinance was tabled indefinitely.

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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 17: Construction Screening Signage & Identification Signs in Business & Industrial zones to permit identification signs to be placed on large commercial or industrial developments, as well as to permit temporary construction fence material to contain text and pictures when utilized during construction of large commercial and industrial projects. (MIA Brookhaven, LLC).

An Ordinance changing the zone from an Expansion Area Residential-1 (EAR-1) zone to an Expansion Area Residential-2 (EAR-2) zone, for 46.64 net (47.18 gross) acres; for property located at 1551 Deer Haven Ln., (a portion of). (North Forty Properties, LLC; Council District 12).

An Ordinance amending the authorized strength by abolishing one (1) vacant Classified Civil Service Position of Staff Assistant Sr., Grade 510N, in the Div. of Police and creating one (1) Classified Civil Service Position of Community Program Coordinator, Grade 514N, in the Div. of Police, effective upon passage of Council.

An Ordinance amending the authorized strength by creating one (1) Unclassified Civil Service Position of Records Management Assistant P/T, Grade 507N, in the Office of the Council Clerk, effective upon passage of Council.

An Ordinance amending the authorized strength by creating one (1) Classified Civil Service Position of Public Information Officer, Grade 523E, in the Dept. of Public Safety, effective upon passage of Council.

An Ordinance amending the authorized strength by abolishing one (1) Classified Civil Service Position of Staff Assistant Sr., Grade 510N, and creating one (1) Classified

Civil Service Position of Permit Clerk, Grade 512N; reclassifying the incumbent in the Div. of Police, effective upon passage of Council.

An Ordinance of the Lexington-Fayette Urban County Government authorizing the issuance of its Various Purpose General Obligation Bonds, Series 2015B, in one or more subseries, in an aggregate principal amount not to exceed \$33,000,000; approving a form of Series 2015B Bonds; authorizing designated officers to execute and deliver the Series 2015B Bonds; authorizing and directing the filing of notice with the state local debt officer; providing for the payment and security of the Series 2015B Bonds; creating a Sinking Fund; creating a Bond Payment Fund for the Series 2015B Bonds; authorizing acceptance of the bid(s) of the bond purchaser of the Series 2015B Bonds; and repealing inconsistent ordinances.

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. 6.

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

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

Nay: -----0

A Resolution accepting the bid of Bradley Hook It Up Mobile, LLC, establishing a price contract for vehicle pressure washing and steam cleaning, for the Div. of Facilities and Fleet Management.

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

A Resolution accepting the bid of Key to Cleaning, LLC, establishing a price contract for Custodial Services - E911, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Blackhawk Enterprises, Inc., establishing a price contract for video equipment, for the Div. of Traffic Engineering.

A Resolution accepting the bid of Galls, LLC, establishing a price contract for Soft Body Armor, for the Div. of Police.

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

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two (2) to the Contract with Mitchell Construction Management, for bathroom renovations to Fire Station #1, increasing the contract price by the sum of \$10,900 from \$154,365 to \$165,265.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Three (3) to the Contract with Mitchell Construction Management, for remodeling renovations to Fire Station #1, increasing the contract price by the sum of \$200 from \$165,265 to \$165,465.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Four (4) to the Contract with Mitchell Construction Management, for bathroom renovations to Fire Station #1, increasing the contract price by the sum of \$2,085 from \$165,465 to \$167,550.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Third Amendment to the Purchase Agreement with Airbus DS Communications f/k/a Cassidian Communications, Inc., to purchase equipment and services necessary for the expansion of the Public Safety Operations Center (PSOC), at a cost not to exceed \$1,542,083.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Participating Addendum to the ValuePoint Cooperative Contract between the National Association of State Procurement Officials (NASPO) and Verizon Wireless, designating the Urban County Government as an authorized user of wireless equipment and services, and further authorizing the Chief Information Officer or her designee, for the term of the contract, to execute any necessary documents for the creation of Verizon Wireless accounts, at no cost to the Urban County Government and subject to the appropriation of sufficient funds.

A Resolution approving the Fayette County Sheriff's Settlement - 2014 taxes, for taxes collected as of April 15, 2015, and granting the Sheriff a Quietus.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Kathy H. Witt, Sheriff of Fayette County, for the collection of the ad valorem Urban Service District taxes for the 2015 property tax year, at a cost not to exceed \$350,000, with payment net from collections and the Urban County Government receiving any related payment from the Commonwealth of Ky.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to renew the GSA-Federal Supply Schedule Purchase Orders related to Contract GS-35F-0119P with Verizon Wireless, for machine-to-machine plans and voice data plans, in accordance with the University of Ky. contract pricing guidelines; authorizing the Chief Information Officer or her designee, for the term of the contract, to execute future annual purchase orders for this purpose, at no cost to the Urban County Government and subject to the appropriation of sufficient funds.

A Resolution authorizing the Div. of Traffic Engineering, on behalf of the Urban County Government, to purchase Bluetooth Travel-Time Origination and Destination devices from Iron Armour, LLC, a sole source provider, at a cost not to exceed \$200,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Bluegrass Workforce Investment Board, 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 \$140,000 Federal funds, and are for the operation of a Workforce Investment Act Project for low-income and at-risk youth ages 16-24, the acceptance of which obligates the Urban County Government for the expenditure of a local match in the amount of \$9,630 which will be provided from documentation of Youth Services employee wages, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Release of Easement, releasing a utility easement on the property located at 2399 Richmond Rd.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Ordering Document with Oracle America, Inc., for Licenses and License

Support Fees, at a cost not to exceed \$67,806.03 for the period of time from August 17, 2015 through August 17, 2016, with future fiscal years subject to sufficient funds being appropriated.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Lexington Healing Arts Academy, for placement of an intern to provide yoga classes for the Family Care Center's clients, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to donate to the McCreary County Sheriff's Office for law enforcement use only, two police cruisers that are being removed from the fleet.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. State Police-Vehicle Enforcement Division, 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 \$60,000 Federal funds, and are for the continued operation of the Motor Carrier Safety Assistance Program (MCSAP) for FY 2016, the acceptance of which obligates the Urban County Government for the expenditure of a 20% local match in the amount of \$15,000 which will be provided from documentation of existing Div. of Police staff salaries, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Ky. Dept. of Alcoholic Beverage Control, for use of the 800 MHz p25 Trunked Radio System.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation of \$1,000, one (1) desk, one (1) cabinet, three (3) bookcases, two (2) iPads, and five (5) Kindle Readers from Adam Banks for use at the Black and Williams Neighborhood Center by program participants.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a License Agreement with Fright Nights Production Co., LLC, granting a limited license to host a Halloween event at Jacobson 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 Element Design, PLLC, for the Idle Hour Parks Improvement Design Project, increasing the contract price by the sum of \$1,600 from \$33,000 to \$34,600.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation of five (5) desks and twenty-seven (27) chairs from the NAACP for use at the Black and Williams Neighborhood Center by program participants.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with CDP Engineers, Inc., for the design of Clays Mills Road Improvement Project Section 1 between Harrodsburg Rd. and Waco Rd. (RFQ #59-2014), at a cost not to exceed \$526,482.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with Accela, Inc., and a Supplement to General Terms and Conditions with Springbrook Software, Inc., for service and storage changes to the OLF Business Tax Revenue Collections, Recording and Reporting System, at a cost savings of \$41,284.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Statement of Work Agreement (pursuant to Commonwealth of Ky. Master Agreement 758 1300000512 1), with SDGblue, LLC, for technical project management, change management and business consulting services related to the LEXServ Billing Project, at a cost not to exceed \$262,500.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Georgetown Street Area Neighborhood Association, Inc. (\$250), for the Office of the Urban County Council, at a cost not to exceed the sum stated.

A Resolution authorizing the Div. of Environmental Services to purchase plant materials for Breeder's Cup beautification projects, from Kelly Nursery, LLC, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary agreement with Kelly Nursery, LLC related to the procurement, at a cost not to exceed \$78,451.25.

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

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

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

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

A Resolution authorizing the Div. of Human Resources to make conditional offers to the following Probationary Classified Civil Service Appointments: Amy Wallot, Information Officer, Grade 518E, \$1,827.98 biweekly in the Div. of Government Communications, effective September 7, 2015, Bethany Weisenberger, Administrative Specialist, Grade 513N, \$18.299 hourly in the Div. of Revenue, effective September 7, 2015, Matt True, Resource Recovery Operator, Grade 513N, \$18.299 hourly in the Div. of Waste Management, effective upon passage of Council, Claire McBride, Telecommunicator, Grade 514N, \$17.207 hourly in the Div. of Emergency Management/911, effective September 7, 2015, Robert Baumgartner, Code Enforcement Officer, Grade 516N, \$19.303 hourly in the Div. of Grants and Special Programs, effective upon passage of Council, Caleb Smith, Security Officer, Grade 507N, \$12.410 hourly in the Dept. of Public Safety, effective September 7, 2015, and David Wilson, Vehicle and Equipment Technician, Grade 514N, \$19.214 hourly in the Div. of Facilities and Fleet Management, effective upon passage of Council; and authorizing the Div. of Human Resources to make a conditional offer to the following Unclassified Civil Service Appointment: Jordan Russell, Deputy Coroner, Grade 515N, \$19.712 hourly in the Coroner's Office, effective upon passage of Council.

A Resolution of the Lexington-Fayette Urban County Government authorizing the advertisement for bids and the distribution of a Preliminary Official Statement for the purchase of the principal amount of its Various Purpose General Obligation Bonds, Series 2015B in a principal amount not to exceed \$33,000,000.

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The following resolutions were given first reading. Upon motion of Ms. Scutchfield, seconded by Ms. Bledsoe, the rules were suspended by majority vote. (Ms. Akers was absent when the vote was taken.)

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

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

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

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with YMCA of Central Ky. (\$700), Lyric Theatre and Cultural Arts Center Corp. (\$850), One World Films, Inc. (\$950), Fayette County School District Finance Corp. (\$3,050), American Diabetes Association (\$800), Alzheimer's Association Greater Kentucky & Southern IN Chapter (\$800), Dunbar Advisory Council, Inc. (\$750), and Tweens Nutrition and Fitness Coalition (\$600), 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 Miss Ky. Scholarship Local Preliminary (\$400), Lexington Community Land Trust (\$750), and FoodChain (\$2,200), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

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A Resolution amending Resolution No. 247-93 to annex 211 West Maxwell St. into the South Hill Residential Permit Parking District was given first reading.

Upon motion of Mr. Gibbs, seconded by Ms. Henson, the rules were suspended by majority vote. (Ms. Akers was absent when the vote was taken.)

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

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

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

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A Resolution authorizing the Department of Law to institute condemnation proceedings in Fayette Circuit Court to obtain one temporary Construction Easement and one permanent Drainage Easement at 1250 Deer Haven Lane for the Polo Club Boulevard Public Improvement Project was given first reading.

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

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

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

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

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Upon motion of Mr. Kay, seconded by Mr. Gibbs, and approved by a majority vote, (Farmer, Scutchfield, Stinnett, and Evans voted **no**, Ms. Evans recused herself) a Resolution authorizing the Mayor or his designee, on behalf of the Urban County Government, to execute deeds and any other necessary documents, to transfer the property located at 1055 Industry Rd. to the Catholic Church Diocese of Lexington Ky. or other appropriate entity, at a cost of \$550,000 and transfer from the Church of the property located at 400 East Fifth St. to the Urban County Government, in order to resolve all pending litigation related to the operation of the Community Inn at 824 Winchester Rd. was placed on the docket and given first reading and placed on file for two weeks for public inspection.

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Upon motion of Mr. Farmer, seconded by Ms. Henson, and approved by unanimous vote, a Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 22 to the contract with Marrillia Design & Construction for the Senior Citizen Center Construction Project, increasing the contract price by the sum of \$679,752.00 from \$9,465,420.25 to \$10,145,172.25 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. Scutchfield, the resolution was approved by the following vote:

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

Nay: -----0
(Ms. Akers was absent when the vote was taken.)
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The following resolutions were given first reading and placed on file two weeks for public inspection.

A Resolution accepting the bids of Kalkreuth Roofing and Sheet Metal, Inc., and Tri-State Roofing and Sheet Metal Co. of Ky., establishing price contracts for Roof Repairs and Maintenance, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bids of Kentucky Service Co., Inc., and Xylem Watering Solutions, Inc., establishing price contracts for Repairs or Replacement of Electrical Motors, Pumps, and Submersible Pumps, for the Div. of Water Quality.

A Resolution ratifying the Probationary Civil Service Appointments of: Darryl Stewart, \$18.517 hourly and David Ellis, \$15.986 hourly, both Equipment Operator Sr., Grade 512N, in the Div. of Streets and Roads, and Anthony Williams, Project Manager, Grade 517E, \$1,693.36 biweekly in the Div. of Parks and Recreation, all effective September 7, 2015; ratifying the Permanent Civil Service Appointments of: Brada Minton, Clerical Assistant Sr., Grade 507N, \$13.924 hourly in the Div. of Accounting, effective August 9, 2015, Barry Brock, Engineering Bonds Officer, Grade 514N, \$19.592 hourly in the Div. of Engineering, effective August 23, 2015, Debra Robinson, PSAP Manager, Grade 521E, \$2,477.12 biweekly, Charles Bowen and Charles O'Connell, both Telecommunicator Supervisor, Grade 520E, \$2,040.40 biweekly, all in the Div. of Emergency Management/911, effective August 23, 2015; ratifying the Unclassified Civil Service Pay Increase in the Office of the Chief Administrative Officer: Glenn Brown, Deputy Chief Administrative Officer, Grade 534E, from \$3,787.12 biweekly to \$4,038.46 biweekly, effective August 24, 2015; and ratifying the Unclassified Civil Service Pay Increase in the Council Office: Robert Bolson, Aide to Council, Grade 518E, from \$2,288.88 biweekly to \$2,400.00 biweekly, effective August 10, 2015.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the First Amendment to the Agreement with the Fayette County Attorney's Office, for a Driver's Education Program at the Old Frankfort Pike Landfill, extending the term of the Agreement until December 31, 2018, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Energy and Environment Cabinet, for operation of the 2015 Waste Tire Management Program in Lexington-Fayette County, at a cost not to exceed \$5,000.

A Resolution authorizing the Div. of Emergency Management/911, on behalf of the Urban County Government, to purchase upgraded outdoor warning sirens from Federal Signal/Capital Electronics, a sole source provider, at a cost not to exceed \$90,000.

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 Waste Management, and 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 \$4,000 Commonwealth of Ky. funds, for Disposal or Recycling of Waste Tires, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 (Final) to the Agreement with Free Contracting, Inc., for the Hillenmeyer Pump Station Decommissioning Project, increasing the contract price by the sum of \$4,095.87 from \$319,001.13 to \$323,097.00.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to formally request transfer of 110 South Limestone Street (a portion of Phoenix Park) from the Commonwealth of Ky. to the Urban County Government, to accept a Deed and execute any other necessary documents for transfer of same, and authorizing the construction of five parking spaces on a portion of the property.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to donate to the Ky. Fire Commission 150 Fire Shelters, Model # 5100-320G.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a multi-year Letter Agreement with American Municipal Tax-Exempt Compliance Corporation (AMTEC), for professional services related to the Arbitrage Calculations for certain previous Bond issuances, at a cost not to exceed \$2,400 in FY2016.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Pilgrim Baptist Church for use of its parking lot located adjacent to Coolavin Park, beginning July 1, 2015, and ending June 30, 2016, with two automatic renewals of one year each unless terminated by either party and subject to funds being budgeted.

A Resolution authorizing and adopting an updated filing fee schedule for Planning Commission and Board of Adjustment applications.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Release of Sanitary Sewer Service Agreement, releasing the Urban County Government from any further obligation under the Sanitary Sewer Service Agreement with Southland Christian Church of Lexington, Ky., Inc., and further authorizing the Mayor, on behalf of the Urban County Government, to execute a Sanitary Sewer Collection Facilities Conveyance with Southland Christian Church of Lexington, Kentucky, Inc., conveying Sanitary Sewer Collection Facilities and transferring maintenance and operation of facilities to the Jessamine-South Elkhorn Water District.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with Central Kentucky Housing and Homeless Initiative (CKHHI), for provision of administrative support to the Office of Homelessness Prevention and Intervention (OHPI) and for sponsorship of the Annual Community Stand Down Event, at a cost not to exceed \$10,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Board of Education of Fayette County,

Kentucky, regarding information sharing related to the collection of Occupational License Fees/Taxes, at no cost to the Urban County Government.

A Resolution accepting the response of Paradigm Engineers and Constructors, PLLC to RFP No. 25-2015 Design Services for Water Quality Electrical Shop, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Paradigm Engineers and Constructors, PLLC to provide services related to the RFP, at a cost estimated not to exceed \$35,090.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the Blue Grass Community Foundation for services related to the provision of fundraising for The Town Branch Commons Project, at a cost not to exceed \$180,000.

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Upon motion of Mr. Stinnett, seconded by Mr. Kay, and passed by majority vote (Ms. Akers was absent when the vote was taken and Ms. Lamb recused herself on #11), the Communications from the Mayor were approved, and are as follows: (1) Recommending the reappointment of Council Member Kevin Stinnett, as Council Member representative, to the Animal Care and Control Advisory Board, with term to expire 8/27/2019; (2) Recommending the appointments of Mr. David Cozart, as Area Resident representative, and Ms. Rolanda Woolfork, as Area Resident representative, to the Black & Williams Neighborhood Community Center Board, with terms to expire 8/27/2019' (3) Recommending the appointments of Ms. Linda Gorton and Ms. Lisa Higgins-Hord, and the reappointments of Mr. Brian Hodge and Ms. Janet Holloway, to the Carnegie Literacy Center Board of Directors, with terms to expire 8/27/2019; (4) Recommending the appointments of Mr. Colby Khoshreza, Ms. Melissa Maclin, Mr. Timothy Schuler, Ms. Kulwinder Sekhon, and Mr. Timothy Smith to CASA of Lexington, with terms to expire 8/27/2019; (5) Recommending the reappointment of Ms. Tiffany Bryant, as Rehabilitation Professional representative, to the Commission for Citizens with Disabilities, with term to expire 8/27/2019; (6) Recommending the reappointments of Vice-Mayor Steve Kay, as At-Large Council Member representative, and Mr. Mark Newberg, as Building Inspection representative, to the Corridors Commission, with terms to expire 8/27/2019; (7) Recommending the reappointments

of Mr. Greg Butler, as Land Use Planner representative, Ms. Patricia Knight, as Lexington Convention & Visitors' Bureau representative, Mr. James Millard, as Historic Preservation representative, and Mr. Jack Wilson, as Conservation/Environmental Community representative, to the Greenspace Commission, with terms to expire 8/27/2019; (8) Recommending the appointments of Mr. Salvador Sanchez, as Food/Beverage Industry representative, and Ms. Christina Balding Tune, as Education Institution representative, to the Keep Lexington Beautiful Commission, with terms to expire 8/27/2019; (9) Recommending the reappointments of Mr. William Brent Rice and Mr. William Craig Turner to the Lexington Center Corporation Board of Directors, with terms to expire 8/27/2019; (10) Recommending the reappointment of Ms. Susan Wright to the Library Board of Trustees, with term to expire 8/27/2019; (11) Recommending the appointments of Mr. Kevin Atkins, as Chief Development Officer representative, Mr. Ronnie Bastin, Commissioner of Public Safety representative, Mr. Chris Ford, Commissioner of Social Services representative, Ms. Sally Hamilton, Chief Administrative Officer representative, Mr. Geoff Reed, Commissioner of General Services representative, Ms. Isabel Taylor, as Multicultural Affairs Coordinator representative, Dr. Christel Brody, as European representative, Ms. Marilyn Daniel, as At-Large representative, Ms. Dianet Valencia, as Americas representative, Ms. Guion Johnstone, as Chief Administrative Officer representative, Mr. Nkongolo Kalala, as Africa representative, and Ms. Diana Queen as At-Large representative to the Mayor's International Affairs Advisory Board, with term to expire 8/27/2019, 8/27/2019, 8/27/2019, 8/27/2019, 8/27/2019, 8/27/2019, 8/27/2019, 8/27/2019, 8/27/2019, 8/27/2017, 8/27/2017 and 8/27/2017 respectively; (12) Recommending the appointments of Mr. Harry Clarke and Council Member Jake Gibbs to the Picnic with the Pops Commission, with terms to expire 8/27/2019; (13) Recommending the appointments of Council Member Fred Brown and Ms. Natalie Pope to the Senior Services Commission, with terms to expire 8/27/2019; and (14) Recommending the reappointments of Ms. Alana Insko-Kelley and Ms. Laura Farnsworth and the appointment of Ms. Melissa McCartt-Smyth to the Special Events Commission, with terms to expire 8/27/2019.

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Battalion Chief Greg Bayer, Div. of Fire & Emergency Services, stated Firefighter Matt Howard had committed the offense of violation of 1) UDG 1.05A Inefficiency, and 2) UNG 2.04 Inability to Meet Performance Standards 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 9th day of December, 2014, he allegedly committed offense outlined in IA Case 2014-FC-0007, reviewed by the Pre-Disciplinary Review Board on February 20, 2015 and the Fire Chief on February 23, 2015, and all charges are denied by Firefighter Howard, and that the appropriate punishment for this offense is a Written Reprimand.

Upon motion of Ms. Henson, seconded by Mr. Stinnett, the disciplinary action was approved by majority vote. (Ms. Akers was absent when the vote was taken).

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Ms. Lamb thanked Ms. Meredith Nelson, Council Clerk's Office, for her service.

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Mr. Farmer welcomed Mr. Hensley, and commended the Mayor on his selection of Mr. Hensley.

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Ms. Henson thanked Ms. Nelson. She also corrected the time of an event she had announced at the previous Work Session. She stated that coffee with Congressman Andy Barr was at 9:30 AM. She spoke about a press conference for Global Lex.

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Mr. Scutchfield welcomed Mr. Hensley, and announced that Coffee with your Council Member is on September 2, 2015 at 7:15 AM at Panera Bread on Richmond Road. She also spoke about the Aquatics Master Plan meetings.

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Mr. Hensley thanked the Council for their support, and spoke about looking forward to serving.

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Mr. Moloney thanked Ms. Nelson and welcomed Mr. Hensley.

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Ms. Bledsoe echoed sentiments and announced that the President's Council will be September 14, 2015 at 6 PM.

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Mr. J. Brown welcomed Mr. Hensley, and announced the Duncan Park Centennial Celebration planned for Saturday, August 29, 2015 from 3:00 PM to 7:00 PM.

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Ms. Susan Delph, Lexington, asked that the Council visit the New Life Day Center in order to talk with the homeless population of Lexington.

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Ms. Amy Clark thanked Ms. Nelson for her service and complimented the Council Clerk's Office. She thanked the Council for not hurrying the second reading on Res. #43. She encouraged the Council to think carefully about what is done with the property, and what the best stewardship of the land would be.

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Upon motion of Ms. Evans, seconded by Mr. Hensley, and approved by a majority vote (Ms. Akers, Mr. F. Brown, Mr. Farmer, Ms. Mossotti, Ms. Scutchfield and Mr. Stinnett were absent when the vote was taken), the meeting adjourned at 7:03 P.M.

Clerk of the Urban County Council