

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky

September 10, 2015

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on September 10, 2015 at 6:00 P.M. Present were Mayor Gray in the chair presiding, and the following members of the council: Council Members Gibbs, Hensley, Henson, Kay, Lamb, Moloney, Mossotti, Scutchfield, Stinnett, Akers, Bledsoe, F. Brown, J. Brown, Evans, Farmer.

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

Resolutions No. 498-2015 through 535-2015, and Ordinances No. 92-2015 through No. 96-2015, inclusive, were reported as having been signed and published, and ordered to record.

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky September 10, 2015

The Invocation was given by Fr. Dan Noll of the Mary, Queen of the Holy Rosary.

*

*

*

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) was on the docket for first reading.

Upon motion of Susan Lamb, seconded by Ms. Henson, and approved by unanimous vote, the ordinance was tabled until the September 22, 2015 public hearing .

*

*

*

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

Nay: -----0
(Ms. Evans recused herself.)

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).

*

*

*

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

Nay: -----0

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.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to provide funds for the LexArts Oliver Lewis Way Project, and appropriating and re-appropriating funds, Schedule No 8.

*

*

*

An Ordinance creating a ten (10) year, Non-Exclusive Franchise for a cable television system within the confines of the Lexington-Fayette Urban County Government said franchise providing for: full financial and shareholder disclosure; indemnification by the franchise grantee and adequate insurance coverage; a

\$50,000.00 letter of credit to ensure franchise compliance; payment to the government; requirements for providing data, testing the system, and meeting minimum operational standards; conditions of street occupancy; use of poles; minimum construction standards; minimum requirements for extending the system; access to community facilities; public, educational and government access channels; emergency alert override; antenna switches; two hour stand-by power; testing and analyzing the system and proof of performance; establishment of consumer services standards; establishment of standards for billing practices; establishment of a complaint procedure; refunds to subscribers for failure of service; rate regulation; Council approval required for a transfer of control or assignment of the franchise; standards and procedures established for forfeiture of the franchise, assessment of penalties and valuation of the system; foreclosure and receivership provisions; reserving government rights in the franchise; assurances of nondiscrimination; protections of subscriber privacy; administrative supervision of the franchise; government access to property and records was given first reading.

Upon motion of Mr. Hensley, seconded by Mr. Gibbs, and approved by unanimous vote, the rules were suspended.

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

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

Nay: -----0

* * *

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

An Ordinance amending the authorized strength by abolishing two (2) Classified Civil Service Positions of Technical Specialist, Grade 515N, and creating two (2) Classified Civil Service Positions of Computer Analyst, Grade 520E; reclassifying the incumbents in the Div. of Computer Services, effective upon passage of Council.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 7.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements in the Div. of Environmental Services for funds in the amount of \$325 from Neighborhood Development Funds for mulch for Scully Property Tree Planning Project, and appropriating and re-appropriating funds, Schedule No. 9.

* * *

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 was given second reading.

Mr. Moloney asked questions of Mr. Jamie Emmons, Mayor’s Office. Mr. Emmons responded.

Ms. Mossotti asked questions of Ms. Janet Graham, Commissioner of the Dept. of law, and Mr. Emmons. They responded. Ms. Mossotti asked about getting the most for the community for our money and about making this a community wide project. Mr. Emmons responded.

Mr. Farmer spoke about the project. He stated that he can see both sides of the issue. He stated this project is crucial to bring the community together.

Mr. Brown spoke about this resolution being an opportunity to build on a partnership with the public.

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

Aye: Gibbs, Hensley, Henson, Lamb, Moloney,
Scutchfield, Stinnett, Akers, Bledsoe, F. Brown,
J. Brown, Evans, Farmer -----13

Nay: Mossotti-----1
(Mr. Kay recused himself.)

* * *

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 on the docket for second reading.

Upon motion of Ms. Evans, seconded by Mr. Farmer, and approved by unanimous vote, public comment on this ordinance was permitted on this resolution prior to a second reading.

Mr. Bernard McCarthy, Harry Street, spoke about his hopes for this resolution and that it will resolve lawsuits and that the homeless will have a stable place to stay. He spoke about the harsh winter conditions in Lexington.

Ms. Laura Babbage, Centennial Ln., thanked Council for their work put into this issue.

Father Dan Noll, Hill'n Dale Rd., thanked Council for their consideration for the homeless in the many ways Council has taken up that cause. He stated that this resolution provides a feasible solution.

Mr. John Hayes, Southview Dr., thanked Council for their consideration. He stated he's a property owner near the new location of the homeless shelter. He spoke about his experience on the grand jury and his communications with Lexington Police. He spoke about how the shelter will affect his business. He asked Council if it would be possible to find another location.

Ms. Anita Frank, E. Sixth St., thanked Council for their consideration. She spoke about helping those who are not as fortunate as she is.

Mr. John Smith, Cashiers Ct., stated he is a former market leader for St. Joseph Health Systems. He spoke about his work on homeless causes. He stated that this is the best solution to current problems.

Mr. Jim Holzman and his wife Martine, Barwick Dr., spoke about owning a pastry shop. He spoke about being a longtime supporter of the homeless shelter. He stated that he donates unused food to the shelter. He stated his business location is right next to the new homeless shelter. He spoke about how the public perception will affect his business. He proposed that a location with medical facilities would be a more appropriate location. He spoke about three daycare centers within a close radius of the new center.

Mr. Stinnett asked Commissioner Janet Graham, Dept. of Law, if this resolution would resolve pending litigation. Ms. Graham stated that once this legislation passes the pending state court cases will be dismissed as will a current investigation. Mr. Stinnett asked when the dismissal would happen. Ms. Graham stated that the dismissal would occur before the closing of the purchase. He asked if a settlement agreement would be public record. Ms. Graham responded.

Mr. Farmer encouraged the Council not to take this action. He spoke about putting stress on the homeless by passing this as well by bringing them further from the center of town. He stated he will not support the legislation.

Ms. Akers spoke about those who manage the facility and for it not to become the burden it became before.

Ms. Evans asked her fellow council members not to vote on this tonight. She spoke about residents and business owners in the area. She stated that constituents are asking for more time.

Mr. James Brown thanked everyone for coming out. He spoke about challenges of servicing a population with two separate facilities.

Ms. Henson spoke about her respect for others. She stated that Council would likely have the same controversy regardless of where the center is located. She hopes the operators of the facility will respect the property owners around them. She stated she would support this legislation.

Mr. James Brown asked if the settlement is time sensitive. Ms. Graham stated that the settlement is time sensitive.

Ms. Evans made a motion, seconded by Mr. Farmer, to table this ordinance until the October 22, 2015 Council Meeting.

The council discussed the motion.

The motion failed by a majority vote. (Gibbs, Hensley, Henson, Kay, Lamb, Moloney, Mossotti, Scutchfield, Stinnett, Akers, F. Brown, J. Brown voted **no**. Ms. Bledsoe recused herself.)

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

Aye: Gibbs, Hensley, Henson, Kay, Lamb,
Moloney, Mossotti, Stinnett, Akers, F. Brown,
J. Brown -----11

Nay: Scutchfield, Evans, Farmer -----3
(Ms. Bledsoe recused herself.)

*

*

*

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

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

Nay: -----0

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.

* * *

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

Upon motion of Ms. Henson, and seconded by Mr. Kay, the resolutions were approved by the following vote:

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

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

A Resolution ratifying the Probationary Civil Service Appointments of: Michael Foster, Maintenance Supervisor, Grade 519E, \$2,076.92 biweekly in the Div. of Water Quality and Rachael Berry, Budget Analyst, Grade 519E, \$1,756.88 biweekly in the Div. of Budgeting, both effective September 21, 2015; ratifying the Permanent Civil Service Appointments of: Barry Brock, Engineering Bonds Officer, Grade 514N, \$19.592 hourly in the Div. of Engineering, Roger Mulvaney, Traffic Engineer Manager, Grade 527E, \$2,646.64 biweekly in the Div. of Traffic Engineering, Robin Thompson, Administrative Specialist Sr., Grade 516N, \$21.454 hourly in the Dept. of Law, all effective August 23, 2015; and ratifying the Unclassified Civil Service Pay Increase in the Office of the Urban County Council of: Jamie Giles, Aide To Council, Grade 518E, from \$2,203.12 biweekly to \$2,335.31 biweekly, effective August 24, 2015.

A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Civil Service Appointments: Samantha Hagar, Administrative Specialist, Grade 513N, \$17.138 hourly in the Office of the Council Clerk, effective September 21, 2015, Seth Giannasio, Resource Recovery Operator, Grade 513N, \$16.414 hourly in the Div. of Waste Management, effective upon passage of Council, Matthew Coleman, Electronic/Computer Controls Specialist, Grade 517N, \$19.920 hourly in the Div. of Water Quality, effective September 21, 2015, and Audrey Jones, Administrative Specialist, Grade 513N, \$18.299 hourly in the Div. of Facilities and Fleet Management, effective September 21, 2015; authorizing the Div. of Human Resources to make conditional offers to the following Probationary Sworn Appointments: Michael Babiarz, Daniel Bailey, Kasey Sennett, Kevin Sharp, Nicholas Gray, Paul Hogan, James Gilbert, Stephen Miller, Stephen Mapp, Lucas Valdez, Cody McGowan, Brandon Baker, Slade Halvaksz, Calvin Mattox, Elizabeth Thomas, Phillip Palmer, Nathan Barks, Scott Burch, Ethan Smith, Haley Paterson, Cody Shepherd, Randall Meek, Brynne Adams, Ashley Cains, Robert McNeil, Christopher Qualls, Timothy Owens, Jacob Webster, Andrew Head, Ryan Wells, Michael Encinas, Courtney Fyffe, Michael Pierson, Jeffrey Heiner, John Rieselman, Joseph Mayrand, Keith McKinney, Justin Muravchick, Jackson Clark, Travis Beatty, Sean Graham, Dustin Thompson, Keaton Hub, Daniel True, Jesse Mascoe, Nathanael Onkst, Patrick Hall, Ashley Quick, Jonathan Coyle, Jedidiah Rash, Zakary Ridener, and Ray Asbury, all Police Officer Recruit, Grade 311N, \$18.370 hourly in the Div. of Police, effective October 19, 2015; and authorizing the Div. of Human Resources to make a conditional offer to the following Unclassified Civil Service Appointment: John Hill, Victims Advocate, Grade 514N, \$18.454 hourly in the Div. of Police, effective September 21, 2015.

*

*

*

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

Upon motion of Ms. Henson, and seconded by Mr. Kay, the resolutions were approved by the following vote:

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

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

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Justice and Public Safety Cabinet - Ky. State Police, which Grant funds are in the amount of \$50,000 Federal funds, are for the continuation of the Ticketing Aggressive Cars and Trucks (TACT) Grant Program, the acceptance of which obligates the Urban County Government for the expenditure of a 20% local match in the amount of \$12,500 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 and directing the Mayor, on behalf of the Urban County Government, to execute and submit three (3) Grant Applications to the Ky. Transportation Cabinet (KYTC) and the Lexington Metropolitan Planning Organization (MPO) and to provide any additional information requested in connection with these Grant Applications, which Grant funds are in the amount of \$5,475,187 Federal funds under the Transportation Alternatives Program, and are for the Brighton Rail Trail Bridge (\$2,219,902), the West Hickman Trail South (\$760,710), and the Legacy Trail Ky. Horse Park Extension Project (\$2,494,575).

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice Cabinet under the Violence Against Women Act Program, 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 \$38,805 Federal funds, for the continuation of the Sexual Assault Nurse Examiner Program for FY 2016, the acceptance of which obligates the Urban County Government for the expenditure of \$28,105 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Lexington-Fayette Urban County Airport Board, for the purpose of outlining the use, management and other key matters relating to the expanded 800 MHz radio system, at no cost to the Urban County Government.

*

*

*

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

Upon motion of Ms. Henson, and seconded by Mr. Kay, the resolutions were approved by the following vote:

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

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

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easement, releasing a Sanitary Sewer Easement on the property located at 4595 Tates Creek Rd.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration and accept a Deed conveying permanent sanitary sewer and temporary construction easements from the University of Ky., for the property located at 1100 Nicholasville Rd., for the Marquis and Park Ave. Sanitary Sewer Replacement Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Quitclaim Deed and any other documents necessary to transfer three portions of the Trailwood Ln. right-of-way to the abutting property owner.

*

*

*

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Renewal Agreement with Anthem Health Plans of Ky., Inc., for administrative services and stop loss insurance coverage related to Health Insurance Plans PPO 1, PPO 2, HSA 1 and HSA 2, for a one-year term beginning January 1, 2016, for the Urban County Government was given first reading.

Upon motion of Mr. Stinnett, seconded by Mr. Farmer, and approved by a majority vote (Ms. Scutchfield was absent when the vote was taken), the rules were suspended and the resolution was given second reading.

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

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

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

*

*

*

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Multi-Year Agreement with Chard, Synder & Associates, Inc., for the implementation and administration of a Section 125 Flexible Benefits Cafeteria Plan related to qualified and non-qualified employee benefit plans sponsored by the Urban County Government, at a first-year cost of \$38,250 was given first reading.

Upon motion of Mr. Stinnett, seconded by Ms. Mossotti, and approved by a majority vote (Ms. Scutchfield was absent when the vote was taken), the rules were suspended and the resolution was given second reading.

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

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

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

*

*

*

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Woodstock Animal Foundation, Inc. (\$1,050), God's Pantry Food Bank (\$1,150), Carnegie Center (\$1,500), Clays Mill Elementary School PTA (\$1,050), The Autism Society of the Bluegrass (\$500), and Stonewall Elementary School PTA (\$500.00), 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. Lamb, seconded by Ms. Henson, and approved by a majority vote (Ms. Scutchfield was absent when the vote was taken), the rules were suspended and the resolution was given second reading.

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

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

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

* * *

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Gardenside Neighborhood Association, Inc. (\$500), Athens-Chilesburg Elementary School PTA (\$900), Breckinridge Elementary School PTA (\$850), and Lyric Theatre & Cultural Arts Center (\$250), 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. Bledsoe, seconded by Ms. Henson, and approved by a majority vote (Ms. Scutchfield was absent when the vote was taken), the rules were suspended and the resolution was given second reading.

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

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

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

* * *

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Consulting Services Agreement and related documents (awarded pursuant to RFP No. 24-2015) with Metaformers, Inc., for the implementation of the Hyperion Planning and Budgeting Solution Project and related services for the Div. of Budgeting, at a cost not to exceed \$816,300 was on the docket for first reading.

Ms. Lamb made a motion, seconded by Ms. Henson, to remove the resolution from the docket.

Mr. Hensley asked why this was being removed. Mr. Tyler Scott, Dept. of Finance, stated that the contract has not been finalized.

The motion to remove passed by a majority vote (Ms. Scutchfield was absent when the vote was taken), and the resolution was removed from the docket.

* * *

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

A Resolution accepting the bid of B&H Environmental Services, establishing a price contract for Sanitary Sewer Overflow Cleanup Services, for the Div. of Water Quality.

A Resolution accepting the bid of ZKB Services, LLC, establishing a price contract for Cleaning and Grubbing Services at Sanitary and Storm Sewer Locations, for the Div. of Water Quality.

A Resolution accepting the bid of Devere Construction, Inc., in the amount of \$730,595, for Prefabricated Truck Sheds for the Div. of Waste Management, and authorizing the Mayor, on behalf of the Urban County Government, to sign an Agreement with Devere Construction, Inc., related to the bid.

A Resolution accepting the bids of Arrow Electric Co. and Davis H. Elliot Construction Co., Inc., establishing price contracts for Fiber Optic Cable Installation and Repair, for the Div. of Traffic Engineering.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a twelve month Purchase of Services Agreement and Lease Agreement with Lexington-Fayette Animal Care and Control, LLC for Animal Control Services at a cost not to exceed \$1,263,940.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with CMW Architects & Engineers, Inc., for the design of the Old Frankfort Pike Scenic Byway Viewing Area Project, at a cost not to exceed \$48,500.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with TDA, Inc., for the completion of an Analysis of Impediments to Fair Housing Choice, at a cost not to exceed \$48,464.03.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a multi-year Agreement with Accela, Inc., a sole source provider, for right-of-way management software and support services, at a cost not to exceed \$64,325.00 in FY 2016.

A Resolution authorizing the Div. of Community Corrections to procure the replacement of a pedestal support system from Hanover Architectural Products, a sole source provider, at a cost not to exceed \$30,000, and authorizing the Mayor, if necessary and on behalf of the Urban County Government, to sign any documents related to the procurement.

A Resolution authorizing the Commissioner of Public Safety to execute an Application and Contract for Accreditation of Correctional Health Services for NCCHC Accreditation of the Div. of Community Corrections, at a cost not to exceed \$280.

A Resolution amending Section 3 of Resolution No. 493-2015, which ratified Probationary Sworn Appointments, correcting the effective date for David Flannery and Joe Anderson, from August 24, 2015 to August 10, 2015, effective retroactive to August 13, 2015.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Strand Associates, Inc., for Investigation/Design Services for Process and Control Improvements at Town Branch Waste Water Treatment Plant, West Hickman Waste Water Treatment Plant, and all pump stations, increasing the contract price by the sum of \$66,000 from \$2,859,500 to \$2,925,500.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Rental Agreement and Catering Contract with Lexington Convention Center and Hyatt Regency, for the Annual Police Awards Banquet.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 6 to the Contract with Smith Contractors, Inc., for the Town Branch and West Hickman Wastewater Treatment Plant Electrical, SCADA, Blower/Aeration and Pump Station Improvements Project, increasing the contract price by the sum of \$132,472.22 from \$14,665,119.85 to \$14,797,592.07.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Five (5) to the Contract with Churchill McGee, LLC, for Public Safety Operations Center Phase 1B Renovation Contract, increasing the contract price by the sum of \$8,323.75 from \$6,369,507.43 to \$6,377,831.18.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Six (6) to the Contract with Churchill McGee, LLC, for Public Safety Operations Center Phase 1B Renovation Contract, increasing the contract price by the sum of \$6,722.36 from \$6,377,831.18 to \$6,384,553.54.

A Resolution authorizing the Div. of Water Quality to purchase chemical kits for the HACH DR5000 Spectrophotometer at the Town Branch Waste Water Treatment Plant, from HACH Co., a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary agreement with HACH Co. related to the procurement, at a cost not to exceed \$25,578.96.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Fuelband LLC for the Government Center Rear Wall Repair Project, increasing the contract price by the sum of \$1,400 from \$19,888 to \$21,288.

A Resolution establishing a Sole Source Price Contract with Routeware, Inc., as a sole source provider for the purchase of GPS Hardware and Database Maintenance Services for the Div. of Water Quality.

*

*

*

Upon motion of Mr. Kay, seconded by Mr. Farmer, and passed by a majority vote (Ms. Scutchfield was absent when the vote was taken), the Communications from the Mayor were approved and are as follows: 1. Recommending the appointment of Ms. Sheila Simpson, as Area Resident representative, to the Black & Williams Neighborhood Community Center Board, with term to expire 9/10/2019. 2. Recommending the reappointment of Mr. Jeffrey Violette, as Physician representative, to the Emergency Medical Advisory Board, with term to expire 9/10/2019. 3. Recommending the appointments of Mr. Jonah Brown, Ms. Christine de Briffault, and Ms. Rowena Mahloch to the Human Rights Commission, with terms to expire 9/10/2019, 9/10/2019 and 9/1/2019 respectively. 4. Recommending the appointments of Dr. Huajing Maske and Dr. Nadia Rasheed to the Mayor's International Affairs Advisory Commission, with terms to expire 9/10/2017 and 9/10/2019 respectively. 5. Recommending the appointments of Ms. Carla Jackson, as District 7 representative, and Council Member Richard Moloney, as At-Large Council Member representative, to

the Parks and Recreation Advisory Board, with terms to expire 9/10/2019. and 6. Recommending the appointment of Ms. Marci Krueger-Sidebottom to the Transit Authority Board, with term to expire 6/30/2016.

*

*

*

The following Communications from the Mayor were received for information only: 1. Resignation of Darin Kelly, Community Corrections Captain, Grade 115E, Div. of Community Corrections, effective July 31, 2015. 2. Resignation of Miles C. White, Chief Deputy Coroner, Grade 517E, Coroner's Office, effective July 31, 2015. 3. Resignation of James J. Norris, Police Officer, Grade 311N, Div. of Police, effective August 27, 2015. 4. Resignation of Meredith E. Nelson, Council Clerk, Grade 523E, Council Clerk's Office, effective August 28, 2015. 5. Resignation of Jarrod Jaeger, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective August 13, 2015. 6. Resignation of Joseph K. Templeman, Police Officer, Grade 311N, Div. of Police, effective August 6, 2015. 7. Resignation of Robert Taylor Wagner, Firefighter, Grade 311N, Div. of Fire and Emergency Services, effective August 15, 2015. 8. Resignation of Jacob Todd Agee, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective August 13, 2015. 9. Resignation of Christina Elizabeth Wood, Telecommunicator Sr., Grade 517N, Div. of Emergency Management/911, effective August 29, 2015. 10. Resignation of Paul Christian Yezzo, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective August 15, 2015. 11. Resignation of Tyquan Nicholas Rice, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective August 15, 2015. 12. Resignation of Quenna Norris Thompson, Human Resources Analyst, Grade 520E, Div. of Waste Management, effective August 22, 2015. 13. Classified Civil Service Temporary Appointment of Martha Allen, Council Clerk, Grade 523E, \$2,259.44 biweekly in the Office of the Council Clerk, effective August 31, 2015. 14. Classified Civil Service Temporary Appointment of Thad Scott, Director of Code Enforcement, Grade 526E, \$2,821.12 biweekly in the Div. of Code Enforcement, effective August 3, 2015. 15. Termination of Brian N. Butler, Equipment Operator Sr., Grade 512N, Div. of Streets and Roads, effective August 18, 2015.

*

*

*

Upon motion of Mr. Farmer, seconded by Ms. Bledsoe, and approved by a majority vote (Ms. Scutchfield was absent when the vote was taken), the time of the Environmental Quality and Public Works Committee meeting on September 15, 2015 was changed to 12:30 P.M. to allow adequate time for items up for discussion.

Upon motion of Mr. Farmer, seconded by Mr. F. Brown, and approved by a majority vote (Ms. Scutchfield was absent when the vote was taken), the issue of municipal separate storm sewer systems, also called MS4, was placed into the Environmental Quality and Public Works Committee.

Mr. Farmer spoke about the Christ the King Octoberfest on September 11th and 12th, 2015. He spoke about the Romany Road Kroger closing and a meeting about opportunity for the building.

* * *

Mr. Fred Brown stated there will be a town hall meeting at the Gainesway Community Center, Monday, September 14th, 2015 at 11:00 A.M. with Congressman Andy Barr. He spoke about being mindful that the following day was September 11th.

* * *

Ms. Lamb spoke about the recreation zoning ordinance text amendment. She spoke about setting up a second workshop to discuss zone text amendments in general. She stated there were questions of discussing multiple issues in one workshop.

Ms. Lamb made a motion, seconded by Mr. Farmer, to hold a workshop on October 6, 2015 at 10:00 AM on zone text amendments in general.

Mr. Kay spoke about his work with the Div. of Planning to set up an agenda for the workshop already scheduled so that this item can be placed on the agenda.

Mr. Farmer stated he supports having a second meeting to get more information on zone text amendments.

The motion passed by a majority vote. (Ms. Evans voted **no** and Ms. Scutchfield was absent when the vote was taken.)

* * *

Ms. Akers thanked Radio Eye, Inc. and talked about having a great experience reading there. She stated that on Saturday, September 12, 2015, Masterson Station is

having their neighborhood yard sale starting at 8:00 am. Saturday, McConnell's Trace is hosting their neighborhood picnic as well.

Mr. J. Brown reminded everyone of the Roots & Heritage Festival happening during the upcoming weekend.

Mr. Hensley spoke about a neighborhood having some issues. He thanked the Chief Mark Barnard and the Div. of Police for meeting with him about these matters.

*

*

*

Upon motion of Mr. Farmer, seconded by Mr. Stinnett, and approved by unanimous vote, the meeting adjourned at 7:37P.M.

Clerk of the Urban County Council