

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky February 21, 2019

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on February 21, 2019 at 6:01 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the council: Mossotti, Plomin, Reynolds, Worley, Bledsoe, F. Brown, J. Brown, Ellinger, Evans, Farmer, Gibbs, Kay, Lamb, McCurn, and Moloney.

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

Ordinances No. 4-2019 through 7-2019, inclusive, and Resolutions No. 56 -2019 through 71-2019, inclusive, were reported as having been signed and published and ordered to record.

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky February 21, 2019

The Invocation was given by Council Member Bill Farmer, Jr.

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Upon motion by Ms. Plomin, seconded by Mr. Ellinger, and approved by unanimous vote, the Minutes of the January 31, 2019, and February 7, 2019 Council Meetings were approved.

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Mayor Gorton went to the podium to announce the winners of the Kentucky American Water Company Science Fair. She announced that over 500 students participated and the Regional Competitions will be held March 2<sup>nd</sup> at Paul Laurence Dunbar High School. Ms. Ellen Williams, from the Kentucky American Water Company, and Mr. David Helm, from Fayette County Public Schools were in attendance to congratulate the winners. There were many students from the following elementary schools in Fayette County: Ashland, Athens-Chilesburg, SCAPA of the Bluegrass, Cassidy, Christ the King School, Clays Mill, Fayette Co. Homeschools, Garden Springs, Glendover, Julius Marks, Landsdowne, Lexington Christian Academy, Meadowthorpe, Rosa Parks, Sandersville, Seton Catholic School, Stonewall, and Wellington. There were winners from the following Middle Schools in Fayette County: Beaumont, Bryan Station, Carter G. Woodson, Crawford, Edythe J. Hayes, Jessie Clark, Leestown, Lexington Traditional Magnet School, Lexington Universal Academy, Morton, SCAPA of the Bluegrass, Southern, Tates Creek, and Winburn. The High School winners were from Carter G. Woodson, Lexington Catholic, and Paul Lawrence Dunbar.

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A Resolution imposing a moratorium on zone map amendment applications and demolition permits for all properties located within the proposed Pensacola Park Area Historic Districts (H-1 overlay zone), more specifically defined as the following properties: Chesapeake Dr. (no addresses); 96-171 Goodrich Ave.; 101-224 Lackawanna Rd.; 1855-1859 Norfolk Dr.; 101-177 Penmoken Park; 1847-1877 Pensacola Dr. (excluding 1871 Pensacola Dr.); 108-199 Rosemont Garden; 105-175 Suburban Court; and 101-166

Wabash Dr.; directing the Div. of Planning to refuse to accept or process applications for a zone change and directing the Div. of Building Inspection to refuse to accept applications for demolition permits for these properties; establishing the purpose of this moratorium is to give the Planning Commission and the Urban County Government time to consider and take final action on an H-1 overlay zone application to be initiated by the Planning Commission for these properties; and setting the duration of the moratorium to be six months or until the Council takes final action on the proposed Pensacola Park Area H-1 overlay zone, whichever event occurs first, was on the docket for second reading.

Upon motion by Mr. Gibbs, seconded by Ms. Plomin, and approved by unanimous vote, the council agreed to take the resolution out of order, allow Ms. Bettie Kerr, Dir. of Historic Preservation, to have five minutes to present on the H-1 Overlay Zone, and then hear public comments.

Ms. Kerr, showed photos of the homes, and gave a brief history of the neighborhood in the proposed H-1 Overlay Zone.

The following persons spoke in favor of the amended resolution that removed Nicholasville Rd. addresses from the resolution: (1) Mr. Jacob Walbourn, E. Main Street; (2) Ms. Julie Butcher Cherokee Pk. (Upon motion by Ms. Lamb, seconded by Vice Mayor Kay, and approved by unanimous vote, the Council allowed Ms. Butcher to read a letter on behalf of Mr. T.L. Wise); (3) Mr. Nathan Billings, counsel for Greystone Lodge, LLC.

The following persons spoke against the amendment that removed Nicholasville Rd. addresses from the resolution: (4) Mr. Stephen Voss, Goodrich Ave.; (Ms. Tenlee Tarrier, Goodrich Ave.; and Ms. Candace Wallace ceded time.) (5) Ms. Jessica Voigt, Nicholasville Rd.; (6) Ms. Rebecca Glasscock, Wabash Dr.; (7) Mr. Phil Theobald, Rosemont Garden; (8) Ms. Carol Hulse, Wabash Dr.; (9) Mr. Francois Pomerleau, Goodrich Ave.; and, (10) Mr. Tim Condo, Bluegrass Trust.

Mr. Gibbs invited members of the audience who had not spoken in support of the moratorium to please stand.

The following additional persons spoke against the amendment that removed Nicholasville Rd. addresses from the resolution: (11) Ms. Mareth Birmingham Gillespie, Penmoken Pk.; (12) Ms. Peggy Williams, Penmoken Pk.; (13) Mr. Gerry Gillespie,

Penmoken Pk.; (14) Mr. Scott Dreyer, Edgemoor Dr.; and (15) Mr. Dennis Webb, Surburban Ct.

Upon motion by Mr. Gibbs, seconded by Ms. Plomin, the Council agreed to take the resolution out of order, and hear it first.

Ms. Lamb asked for clarification of the proposed new order of business. Mr. Gibbs responded. Mayor Gorton responded.

The motion passed by unanimous vote.

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The following ordinances received second reading. Upon motion by Ms. Mossotti, and seconded by Ms. Plomin, the ordinances were approved by the following vote:

Aye: Mossotti, Plomin, Reynolds, Worley, Bledsoe, -----15  
F. Brown, J. Brown, Ellinger, Evans, Farmer,  
Gibbs, Kay, Lamb, McCurn, Moloney

Nay: -----0

An Ordinance changing the zone from a Single Family Residential (R-1C) zone to a Planned Neighborhood Residential (R-3) zone, for 0.525 net (0.737 gross) acres, for property located at 1847 Nicholasville Rd. (Southern & Jones Properties, LLC; Council District 3).

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. 17.

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The following ordinances received first reading and were ordered placed on file for public inspection until March 7, 2019:

An Ordinance changing the zone from an Agricultural Rural (A-R) zone to a Light Industrial (I-1) zone, for 11.52 net (11.82 gross) acres, for property located at 5301 Athens Boonesboro Rd. (IVCP Athens, LLC; Council District 7).

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. 18.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$10 for the

Div. of Computer Services from Neighborhood Development Funds for a Lexington-Fayette County Map for Junior Achievement, Schedule No. 20.

An Ordinance closing the unused rights-of-way known as Old Manchester St., Old Merino St., and Old Water St., as well as a portion of Tucker St.; determining that the property owner abutting the rights-of-way to be closed has been identified, provided with written notice of the proposed closing, and consented thereto in writing; and authorizing the Mayor, on behalf of the Urban County Government, to execute Quitclaim Deeds and any other documents necessary transferring the former rights-of-way to the abutting owner, subject to the reservation of easements and restrictions.

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A Resolution imposing a moratorium on zone map amendment applications and demolition permits for all properties located within the proposed Pensacola Park Area Historic Districts (H-1 overlay zone), more specifically defined as the following properties: Chesapeake Dr. (no addresses); 96-171 Goodrich Ave.; 101-224 Lackawanna Rd.; 1855-1859 Norfolk Dr.; 101-177 Penmoken Park; 1847-1877 Pensacola Dr. (excluding 1871 Pensacola Dr.); 108-199 Rosemont Garden; 105-175 Suburban Court; and 101-166 Wabash Dr.; directing the Div. of Planning to refuse to accept or process applications for a zone change and directing the Div. of Building Inspection to refuse to accept applications for demolition permits for these properties; establishing the purpose of this moratorium is to give the Planning Commission and the Urban County Government time to consider and take final action on an H-1 overlay zone application to be initiated by the Planning Commission for these properties; and setting the duration of the moratorium to be six months or until the Council takes final action on the proposed Pensacola Park Area H-1 overlay zone, whichever event occurs first, was on the docket for second reading.

Ms. Lamb asked for clarification on the order of business. Mayor Gorton responded.

Ms. Lamb spoke about the amendment and the parliamentary procedures surrounding a motion to reconsider.

Ms. Lamb made a motion, seconded by Ms. Plomin, to reconsider the amendment made at the previous Council Meeting on February 7, 2019, which removed the following: 1733-1915 Nicholasville Rd. (odd addresses only) (excluding 1847 Nicholasville Rd.)

Ms. Mossotti asked a procedural question. Mayor Gorton responded.

Vice Mayor Kay spoke about those Council Members who recused from voting.

Mr. Worley, Ms. Evans, and Mr. Ellinger reiterated the reasons for their recusals.

Vice Mayor Kay spoke about the calls and emails that the Council Members have received after the amendment was made, and appreciated the opportunity to reconsider this amendment.

Ms. Mossotti spoke on her reasons behind the motion to amend the resolution.

Ms. Lamb moved to call the question. Ms. Bledsoe seconded the motion and it was approved by majority vote (Mr. Ellinger, Ms. Evans, and Mr. Worley recused).

The motion to reconsider the amendment to the resolution passed by majority vote (Ms. Mossotti, Mr. F. Brown, and Mr. Farmer voted no. Mr. Ellinger, Ms. Evans, and Mr. Worley recused).

Mayor Gorton asked Mr. Keith Horn, Dept. of Law, to clarify the effect of the motion to reconsider. Mr. Horn responded.

The motion made at the February 7, 2019 meeting by Ms. Mossotti, and seconded by Mr. Moloney, to exclude the following addresses from the Moratorium: 1733-1915 Nicholasville Rd. (odd addresses only) (excluding 1847 Nicholasville Rd.) returned for reconsideration.

Vice Mayor Kay spoke about the property rights of citizens, infill and redevelopment, and how he intended to vote on the motion.

Mr. Gibbs spoke about the motion and responded to some of the public comments.

Mr. Moloney gave reasons why he voted for the amendment. He also voiced concern that there was no zone change hearing for this item.

Mr. Gibbs explained his early departure from the previous council meeting, and said that there was a miscommunication regarding Ms. Mossotti's motion to amend.

Mr. F. Brown moved to call the question. Ms. Plomin seconded the motion and it was approved by majority vote (Mr. Worley, Mr. Ellinger, and Ms. Evans recused).

The motion to amend the resolution by removing the following: 1733-1915 Nicholasville Rd. (odd addresses only) (excluding 1847 Nicholasville Rd.), failed by the following vote:

Aye: Mossotti, Bledsoe, F. Brown, Farmer -----4

Nay: Plomin, Reynolds, J. Brown, Gibbs, Kay, -----8  
Lamb, McCurn, Moloney

Recuse: Worley, Ellinger, Evans

A Resolution imposing a moratorium on zone map amendment applications and demolition permits for all properties located within the proposed Pensacola Park Area Historic Districts (H-1 overlay zone), more specifically defined as the following properties: 1733-1915 Nicholasville Rd. (odd addresses only) (excluding 1847 Nicholasville Rd.) Chesapeake Dr. (no addresses); 96-171 Goodrich Ave.; 101-224 Lackawanna Rd.; 1855-1859 Norfolk Dr.; 101-177 Penmoken Park; 1847-1877 Pensacola Dr. (excluding 1871 Pensacola Dr.); 108-199 Rosemont Garden; 105-175 Suburban Court; and 101-166 Wabash Dr.; directing the Div. of Planning to refuse to accept or process applications for a zone change and directing the Div. of Building Inspection to refuse to accept applications for demolition permits for these properties; establishing the purpose of this moratorium is to give the Planning Commission and the Urban County Government time to consider and take final action on an H-1 overlay zone application to be initiated by the Planning Commission for these properties; and setting the duration of the moratorium to be six months or until the Council takes final action on the proposed Pensacola Park Area H-1 overlay zone, whichever event occurs first, as amended, received first reading.

Vice Mayor Kay, moved to suspend the rules and give the resolution second reading, seconded by Mr. J. Brown.

The motion failed by the following vote:

Aye: Bledsoe, J. Brown, Gibbs, Kay, Lamb, -----7  
McCurn, Moloney

Nay: Mossotti, F. Brown, Farmer, Plomin, -----5  
Reynolds

Recuse: Worley, Ellinger, Evans

The Resolution was ordered placed on file for public inspection until March 7, 2019.

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The following resolutions received second reading. Upon motion by Ms. Bledsoe, and seconded by Ms. Plomin, the resolutions were approved by the following vote:

Aye: Mossotti, Plomin, Reynolds, Worley, Bledsoe, -----15  
F. Brown, J. Brown, Ellinger, Evans, Farmer,  
Gibbs, Kay, Lamb, McCurn, Moloney

Nay:

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A Resolution ratifying the Probationary Civil Service Appointments of: Russell Mehnert, Engineering Technician Principal, Grade 518N, \$23.510 hourly in the Div. of Engineering, effective March 4, 2019 and Rita Evans, Administrative Specialist, Grade 513N, \$19.889 hourly in the Div. of Fire and Emergency Services, effective March 4, 2019; ratifying the Permanent Civil Service Appointment of: Jose Diaz Pena, Heavy Equipment Technician, Grade 516N, \$21.004 hourly in the Div. of Facilities and Fleet Management, effective February 6, 2019; and ratifying the Unclassified Civil Service appointments of: Brionna Ashley, Public Works Apprentice, Grade 504N, \$13.000 hourly in the Div. of Streets and Roads, effective February 25, 2019, Terrance Jackson, Public Works Apprentice, Grade 504N, \$13.000 hourly in the Div. of Water Quality, effective February 25, 2019, Quinton Dixon, Public Works Apprentice, Grade 504N, \$13.000 hourly in the Div. of Waste Management, effective February 25, 2019 and Demarcus Wingate, Public Works Apprentice, Grade 504N, \$13.000 hourly in the Div. of Waste Management, effective February 25, 2019.

A Resolution amending Appendix A - Rules and Procedures of the Lexington-Fayette Urban County Council by creating Section 1.100 providing for a statement of inclusion; effective upon passage of Council.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Facility Usage Agreements with various youth baseball and softball leagues granting the leagues the right to use LFUCG baseball and softball fields and facilities for the 2019 spring and fall seasons.

A Resolution authorizing the Div. of Water Quality, on behalf of the Urban County Government, to purchase a chlorine gas feeder for the Town Branch Waste Water Treatment Plant, from JAGS Environmental, Inc., a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with JAGS Environmental, Inc., related to the procurement, at a cost not to exceed \$20,858.44.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with New Lexington Clinic, P.S.C. to allow New



Lexington Clinic, P.S.C. to make improvements to the Picadome Parking Lot in exchange for use of thirty five (35) spaces in the parking lot, at no cost to the government.

A Resolution establishing Playground Plastics as a sole source provider for custom plastic lumber and hardware for the Div. of Parks and Recreation, and authorizing the Mayor or her designee, on behalf of the Urban County Government, to execute any necessary Agreements with Playground Plastics, related to the construction and maintenance of the Shillito Playground at a cost not to exceed \$125,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from Marathon Petroleum Corporation, which Grant funds are in the amount of \$5,000, for the purchase of Firefighting equipment for the Div. of Fire and Emergency Services, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Catering Contract with the Hyatt Regency Lexington, for catering services for the Senior Intern Alumni Luncheon, at a cost not to exceed \$5,500.

A Resolution establishing and authorizing a price contract for fiscal years 2019 and 2020 with Harp Enterprises, Inc., as a sole source provider of voting machines and any related maintenance, equipment, supplies and services for the Fayette County Clerk's Office, and authorizing the Mayor or her designee, on behalf of the Urban County Government, to execute any necessary price contract(s) with Harp Enterprises, Inc., related to the procurement of these goods and services.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with Herrick Co., Inc., for the West Hickman Waste Water Treatment Plant Scum Removal Addition and Ash Tank No. 3 Cover Project, increasing the Contract price by the sum of \$44,202, from \$1,389,000 to \$1,433,202.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Ky. State Police for the sharing of information.

A Resolution establishing Whayne Supply Co. as a sole source provider for providing replacement parts and performing out of warranty repair for the Div. of Facilities and Fleet Management and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreements with Whayne Supply Co., related to the repair and maintenance of government owned equipment manufactured by Caterpillar.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a First Amendment to the Mental Health Services Agreement with Bluegrass.org, allowing Bluegrass.org to utilize psychiatric nurse practitioners and clarify the language for calculating the average daily inmate population, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept donation of a laptop, valued at \$350, from attorney Gayle Slaughter, to be utilized by the offender population to view case related documents or videos, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Crispin Porter & Bogusky, LLC, as authorized agent of Domino's Pizza, LLC, accepting a donation in the amount of \$5,000 for the purpose of completing pothole repairs as part of the Paving for Pizza campaign.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Gainesway Neighborhood Association (\$2,000), Pinnacle Homeowners Association, Inc. (\$575), MANRRS, Inc. (\$800), Kentucky Lions Eye Foundation (KLEF) (\$1,025) and the Lexington History Museum, Inc. (\$1,275) for the Office of the Urban County Council, at a cost not to exceed the sums stated.

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Mayor Gorton departed the meeting at this time.

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Mr. J. Brown departed the meeting at this time.

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A Resolution accepting the bid of Keystone Manufacturing, LLC, establishing a price contract for ERU Rifles, for the Div. of Police received first reading.

Upon motion by Ms. Mossotti, seconded by Ms. Plomin, and approved by majority vote, (Mr. J. Brown absent) the rules were suspended and the resolution received second reading.

Upon motion by Mr. Farmer, and seconded by Mr. Ellinger, the resolution was approved by the following vote:

Aye: Mossotti, Plomin, Reynolds, Worley, Bledsoe,  
F. Brown, Ellinger, Evans, Farmer, Gibbs, -----14  
Kay, Lamb, McCurn, Moloney

Nay: -----0

Absent: J. Brown

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Allegro Dance Project, Inc., (\$1,730) for the Office of the Urban County Council, at a cost not to exceed the sum stated received first reading.

Upon motion by Mr. Worley, seconded by Ms. Mossotti, and approved by majority vote, (Mr. J. Brown absent) the rules were suspended and the resolution received second reading.

Upon motion by Mr. Farmer, and seconded by Mr. Ellinger, the resolution was approved by the following vote:

Aye: Mossotti, Plomin, Reynolds, Worley, Bledsoe, F.  
Brown, Ellinger, Evans, Farmer, Gibbs, Kay, Lamb, -----14  
McCurn, Moloney

Nay: -----0

Absent: J. Brown

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A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Classified Civil Service Appointments: Erik Martinez, Accountant, Grade 516N, \$19.869 hourly in the Div. of Accounting, effective March 4, 2019, Starla Williams, Clerical Assistant Sr., Grade 507N, \$13.486 hourly in the Div. of Accounting, effective March 4, 2019, Phoebe Belew, Maintenance Mechanic, Grade 515N, \$19.643 hourly in the Div. of Water Quality, effective March 4, 2019 and Christopher Jones, Resource Recovery Operator, Grade 513N, \$17.148 hourly in the Div. of Waste Management, effective upon passage of Council; authorizing the Div. of Human

Resources to make a conditional offer to the following probationary Community Corrections Officer appointments: Nathan Price, John Horner, Brandon Purnell, Shanique Gordon, Guner Albertson, Sammy Haygood, Briana Lewis, Tyler Gillispie, Connie Longhany, Hannah Gibson, Suzanne Whipkey, Vincent Longhany, Danny Hudnall, Maya Zakharia, Allisha Grey, Tiani Patton, Stephen Legere, all Community Corrections Officer Recruit, Grade 110N, \$15.384 hourly in the Div. of Community Corrections, effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Sworn Appointments: Jake Bailey, Bradan Smith, Colette Cole, Kristi McIntosh, Connor Sands, Michael Dick, Jesse Ahern, Miranda Maifeld, Samuel Price, Alison Winters, Jessica Entenmann, Brynne Adams, Taylor Merideth, Hunter Kennedy, Rachael Curnutte, Vita Kasko, Wesley Sharp, Alexander Arnold, Nick Edge, Trenton Hurlburt, Garland Poteet, David Stitsinger, Michael Tarlton, Dustyn Skinner, Aaron Hamby, Stewart Russell, Dallas Damron, John Beath, Emilee Sizemore, John McFaull, Ryan Proctor, and Bobby Hoskins, all Police officer Recruit, Grade 311N, \$19.351 hourly in the Div. of Police, effective April 15, 2019; and authorizing the Div. of Human Resources to make a conditional offer to the following Unclassified Civil Service appointments: Austin White, Public Works Apprentice, Grade 504N, \$13.000 hourly in the Div. of Water Quality, effective March 4, 2019 and Scott Luallen, Overdose Prevention Project Coordinator, Grade 519N, \$24.276 hourly in the Dept. of Social Services, effective March 4, 2019, was given first reading.

Upon motion by Ms. Bledsoe, seconded by Mr. Farmer, and approved by majority vote (Mr. J. Brown absent), the rules were suspended and the resolution received second reading.

Upon motion by Mr. Farmer, and seconded by Mr. Ellinger, the resolution was approved by the following vote:

Aye: Mossotti, Plomin, Reynolds, Worley, Bledsoe,  
F. Brown, Ellinger, Evans, Farmer, Gibbs, -----14  
Kay, Lamb, McCurn, Moloney

Nay: -----0

Absent: J. Brown

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A Resolution expressing the Lexington-Fayette Urban County Government's opposition to Senate Bill 163, relating to the acquisition of water or sewer utilities by investor owned utilities was given first reading.

Upon motion by Ms. Mossotti, seconded by Ms. Plomin, and approved by majority vote (Mr. J. Brown absent), the rules were suspended and the resolution received second reading.

Upon motion by Mr. Farmer, and seconded by Mr. Ellinger, the resolution was approved by the following vote:

Aye: Mossotti, Plomin, Reynolds, Worley, Bledsoe,  
F. Brown, Ellinger, Evans, Farmer, Gibbs, -----14  
Kay, Lamb, McCurn, Moloney

Nay: -----0

Absent: J. Brown

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Tuskegee Airmen, Inc. (\$750), for the Office of the Urban County Council, at a cost not to exceed the sum stated, received first reading.

Upon motion by Mr. Worley, seconded by Ms. Mossotti, and approved by majority vote (Mr. J. Brown absent), the rules were suspended and the resolution received second reading. Upon motion by Mr. Farmer, and seconded by Mr. Ellinger, the resolution was approved by the following vote:

Aye: Mossotti, Plomin, Reynolds, Worley, Bledsoe,  
F. Brown, Ellinger, Evans, Farmer, Gibbs, -----14  
Kay, Lamb, McCurn, Moloney

Nay: -----0

Absent: J. Brown

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The following resolutions received first reading and were ordered placed on file for public inspection until March 7, 2019:

A Resolution accepting the bid of Iron Armour, LLC, establishing a price contract for Wavetronix Detection Cabinet Interface Equipment, for the Div. of Traffic Engineering.

A Resolution accepting the bid of Wastequip, establishing a price contract for Open Top Containers (Rebid), for the Div. of Waste Management.

A Resolution accepting the bid of DTC Computer Supplies, establishing a price contract for Media Storage Tape Cartridges, for the Div. of Computer Services.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with Judy Construction Co., for the Town Branch Waste Water Treatment Plant Primary Digester Complex Improvements Project, increasing the Contract price by the sum of \$53,958.58, from \$9,746,750.00 to \$9,800,708.58.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. 3 to the Agreement with Gresham, Smith and Partners, for additional Town Branch Commons Corridor Design Services, increasing the cost of the Contract price by the sum of \$8,164.00, from \$3,115,654.39 to \$3,123,818.39.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit various Grant Applications to the Ky. Transportation Cabinet, to provide any additional information requested in connection with these Grant Applications, and to accept these Grants if these Grants are awarded, which Grant funds are in the amount of \$783,576 ((\$392,000 - FHWA Planning), (\$48,400 - Federal Transit Administration Section 5303), (\$144,392 - Mobility Office (SLX)), (\$123,592- Air Quality (SLX)), (\$75,192 - Bike/Ped Planning (SLX))) Federal funds, and are for FY 2020 Transportation Planning Activities, under the Unified Work Program, the acceptance of which obligates the Urban County Government for the expenditure of \$171,393, 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 an Internet Service Contract with QX.net to increase internet speeds at the Dr. Samuel Brown Health Center, at a cost not to exceed \$1,995 in fiscal year 2019 and \$4,788 annually thereafter.

A Resolution establishing Kraus Associates, Inc. d/b/a AK Associates, as a sole source provider of telephone technology and equipment manufactured by Solacom Technologies Inc. and Execom logging recorders, for the Div. of Enhanced 911 and authorizing the Mayor or her designee, on behalf of the Urban County Government, to

execute any necessary Agreements with Kraus Associates, Inc. d/b/a AK Associates, related to the procurement of these goods and services.

A Resolution approving, pursuant to KRS 67.720 and Section 22-55.1 of the Code of Ordinances, the bond with surety of Donald W. Blevins, Sr., County Judge/Executive, in the amount of \$10,000, and directing the Div. of Risk Management to record the bond with surety, along with a certified copy of this Resolution, in the Office of the Fayette County Clerk.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Agreement with the Fayette County Commonwealth Attorneys' Office, extending the period of performance through June 30, 2019, adding \$20,178 Federal funds and reducing Local matching funds by \$17,452, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Cumulus Broadcasting to provide rounds of golf at golf courses owned by the Urban County Government at no charge in exchange for radio advertising for the golf courses.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a multi-year Lease Agreement with Xerox Corporation Ltd., for a printer, including upgrades, equipment, supplies, and maintenance services, for the Div. of Computer Services, at a cost not to exceed \$25,640.68 including a per copy charge of \$0.0064.

A Resolution approving and adopting substantial amendments to the 2014, 2015 and 2018 Annual Action Plans decreasing funds for the Single Family Housing Rehabilitation Program (\$247,689.05) and reallocating those funds to the Meadows - Northland - Arlington Public Facilities Project (\$247,689.05), and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution ratifying the Permanent Classified Civil Service Appointments of: Nicholas Thornton, Equipment Operator, Grade 510N, \$15.547 hourly in the Div. of Streets and Roads, effective January 9, 2019, Sandra Lopez, Administrative Officer Sr., Grade 526E, \$3,025.82 biweekly in the Dept. of General Services, effective June 11, 2018, Christopher Litton, Project Program Manager, Grade 527E, \$3,375.68 biweekly in

the Dept. of General Services, effective January 9, 2019, Teresa Grider, Administrative Officer, Grade 523E, \$3,175.68 biweekly in the Div. of Facilities and Fleet Management, effective December 11, 2018, Edward Estill, Custodial Worker, Grade 505N, \$12.885 hourly in the Div. of Facilities and Fleet Management, effective February 6, 2019, and Joshua Evans, Social Worker Sr., Grade 516E, \$1,610.56 biweekly in the Div. of Youth Services, effective February 27, 2019.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Safe Place Site Agreement with Arbor Youth Services, Inc., allowing the Family Care Center to be designated as a Safe Place site, at a cost not to exceed \$150.

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 \$10,000 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 an Agreement awarding a Class A (Neighborhood) Incentive Grant to Friends of Wolf Run, Inc., for stormwater quality projects, at a cost not to exceed \$62,391.20.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute supplemental Agreement No. 2 with the Ky. Transportation Cabinet, for the acceptance of additional Federal funds in the amount of \$400,000 for the Utilities Phase for the Brighton Trail Pedestrian Bridge Project, the acceptance of which obligates the Urban County Government for the expenditure of \$100,000 as a local match.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Professional Recovery Consultants, Inc. (awarded pursuant to RFP 35-2018 - Debt Collection Services), and any other necessary documents, for performance of debt collection and related services, at a cost based upon a seventeen and eighty-five one hundredths percent (17.85%) contingency fee on amounts collected.



A Resolution amending section 2.102 of Appendix A - Rules and Procedures of the Lexington-Fayette Urban County Council to require that chairpersons and vice-chairpersons of standing committees attend parliamentary training within a year of being selected, as organized by the Council Office; effective upon passage of Council.

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The following Communications from the Mayor were received for information only:

(1) Classified Civil Service Lateral Transfer of Amanda Sweeney, Human Resources Analyst, Grade 520E, \$2,075.68 biweekly in the Division of Human Resources, effective March 4, 2019; and, (2) Classified Civil Service Lateral Transfer of Christina Davenport, Staff Assistant Sr., Grand 510N, \$17.738 hourly in the Div. of Police, effective March 4, 2019.

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Commander Brad Ingram, Div. of Police, presented a disciplinary matter regarding an At-Fault Collision, in violation of KRS 95.450 and General Order 1973-02J, Disciplinary Procedure, Appendix B, Operational Rule 1.40- At Fault Collisions. It is alleged that Sergeant Daniel Fleischer has been involved in three (3) at fault collisions within a twelve (12) month period. The collisions occurred on January 15, 2018, March 23, 2018, and October 31, 2018. He received and accepted a written reprimand and 2 week suspension of Home Fleet.

Upon motion by Mr. Farmer, and seconded by Mr. Ellinger, and approved by majority vote (Mr. J. Brown absent), the disciplinary action was approved.

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Upon motion by Mr. Farmer, and seconded by Ms. Mossotti, the Communications from the Mayor were approved by majority vote (Mr. J. Brown absent) and were as follows: (1) Recommending the appointment of Mayor Linda Gorton as ex officio member to the Agricultural Extension District Board, with term expiring January 1, 2023; (2) Recommending the appointment of Council Member Josh McCurn to the Animal Care and Control Advisory Board, filling an unexpired term with term expiring August 26, 2019; (3) Recommending the appointments of Mr. Jeremy Brann, filling an unexpired term, and Council Member Susan Lamb as the Mayor's Designee to the Arboretum Advisory Board, with terms expiring January 1, 2021 and December 31, 2022 respectively; (4)

Recommending the appointment of Mr. Mark Onishi to the Bluegrass Crime Stoppers, with term expiring February 21, 2023; (5) Recommending the appointment of Mr. Tyler Chelf as the Police Representative to CASA of Lexington, filling the unexpired term with term expiring October 13, 2020; (6) Recommending the appointment of Mayor Linda Gorton as Ex officio member to City Employees' Pension Fund Board, with term expiring December 30, 2022; (7) Recommending the reappointment of Ms. Margaret Allison as the Specific Disabilities Representative and Ms. Carla Johnson, At-Large member, and recommending the Position Transfer of Ms. Emily Elliott, as the Business Community member to the Commission for People with Disabilities, with terms expiring April 29, 2023, January 1, 2023, and October 22, 2022 respectively; (8) Recommending the appointment of Mr. Craig Cammack as the CAO Designee filling an unexpired term, and Mr. Michael Sparks, Veteran Member of the Disabled Veterans Organization to the Commission on Veterans' Affairs, with terms expiring April 26, 2020 and February 21, 2023 respectively; (9) Recommending the appointment of Council Member Chuck Ellinger, filling an unexpired term, to the Greenspace Commission, with term expiring June 30, 2019; (10) Recommending the appointment of Mr. Jamil Farooqui, as the Fayette County Resident to the Human Rights Commission, with terms expiring January 1, 2023; (11) Recommending the appointment of Vice Mayor Steve Kay to the Lexington Center Corporation Board, filling the unexpired term with term expiring July 7, 2019; (12) Recommending the appointment of Council Member Jennifer Reynolds to the Mayor's International Affairs Advisory Commission, filling the unexpired term with term expiring October 8, 2019; (13) Recommending the reappointment of Mayor Linda Gorton as Ex officio member, and the appointment of Ms. Heather Lyons, LFUCG Employee, filling an unexpired term, to the Picnic with the Pops Commission, with term expiring December 31, 2022 and July 1, 2022 respectively; (14) Recommending the reappointment of Mr. Nick Carter as the Fayette County Extension Agricultural Agent, and the appointment of Ms. Christine Stanley, Historic Preservation Representative, filling an unexpired term, to the Rural Land Management Board, with term expiring December 31, 2022 and July 11, 2021 respectively; (15) Recommending the reappointment of Ms. Gina Greathouse, and the appointment of Mr. Joe Smith, filling an unexpired term, to the Senior Services Commission, with terms expiring September 1, 2022 and August 30, 2020 respectively;

(16) Recommending the appointment of Ms. Heather Lyons as the Mayor's Office Representative to the Sister Cities Program Commission, filling the unexpired term with term expiring December 31, 2022; (17) Recommending the appointment of Ms. Heather Lyons as the Mayor's Office Representative to the Special Events Commission, filling the unexpired term with term expiring June 1, 2022; and (18) Recommending the appointment of Ms. Heather Lyons as the Mayor's Office Representative to the Urban County Arts Review Board, filling the unexpired term with term expiring December 31, 2022.

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Ms. Lillie Miller-Johnson, Russell Cave Rd., read a poem to Council Members titled *“Look at the People”* in honor of Black History Month.

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Ms. Carroll Price, Red Mile Rd., spoke about Lextran Bus Services and the need for additional routes.

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Upon motion by Mr. Ellinger, seconded by Ms. Mossotti, and there being no objections, the meeting adjourned at 8:43 p.m.

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Clerk of the Urban County Council