

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky November 19, 2020

Due to the COVID-19 pandemic and State of Emergency, this meeting is being held via live video teleconference pursuant to 2020 Senate Bill 150, and in accordance with KRS 61.826, because it is not feasible to offer a primary physical location for the meeting.

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on November 19, 2020 at 6:12 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the council: Higgins-Hord, Kay, Lamb, McCurn, Moloney, Mossotti, Plomin, Reynolds, Swanson, Worley, Bledsoe, F. Brown, J. Brown, Ellinger, and Farmer.

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

Ordinances No. 104-2020 through 106-2020, inclusive, and Resolutions No. 504-2020 through 534-2020, inclusive, were reported as having been signed and published and ordered to record.

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The Invocation was given by Councilmember Jennifer Mossotti.

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Mayor Gorton reminded everyone that Public Comment was suspended until December 1, 2020.

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An Ordinance amending Section 2-516 of the Code of Ordinances to add an eighth member, who shall be an Urban County Council Member, to subsection 2-516(1), to remove subsection 2-516(4), which makes a holder of public office ineligible for service as a member of the Authority, and to renumber the remaining subsections to be consistent with this change; effective on the date of passage received second reading.

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

Aye: Higgins-Hord, Kay, McCurn, Reynolds, -----8
Worley, Bledsoe, J. Brown, Farmer

Nay: Lamb, Moloney, Mossotti, Plomin, -----7
Swanson, F. Brown, Ellinger,

Ms. Lamb inquired about potential conflicts of interests arising from a voting Councilmember position on the Industrial Authority, specifically citing the example of voting on purchasing property or other similar instances as they would relate to the 250 acres of Coldstream property. Dave Barberie, Dept. of Law, responded that he did not believe that would be the case. He elaborated that while a conflict of interest could arrive in very specific instances, it would not be an issue each time action was taken on an item. Ms. Lamb clarified that she did not expect it to apply to every situation but that some actions may be a conflict of interest. Mr. Barberie noted that a conflict of interest could potentially arise for any Board with a voting Councilmember, whether it be when they vote as a member of the Board or as a member of the Council. Ms. Lamb apologized for the last minute question and thanked Mr. Barberie for his response.

Mr. J. Brown spoke about the discussion surrounding the Ordinance that the Council had in prior weeks, and conveyed that while there was strong desire for Council representation on the Industrial Authority, there were concerns shared by several Councilmembers about the Councilmember position being a voting member.

Upon motion by Mr. J. Brown, seconded by Mr. McCurn and approved by unanimous vote, the vote on the Ordinance was reconsidered.

Mayor Gorton asked Mr. Worley, Council Parliamentarian, if the motion to reconsider was non-debatable. Mr. Worley responded that the motion was debatable.

Mr. F. Brown asked what the final vote was on the Ordinance. Mayor Gorton responded. Council Clerk Abigail Allan confirmed Mayor Gorton's response.

Vice Mayor Kay asked Mr. J. Brown's concerns instigating the motion to reconsider. Mr. J. Brown explained he intended to amend the Ordinance to include "non-voting, ex officio" in the language, if the motion to reconsider was approved.

Ms. Reynolds stated Mr. J. Brown's response answered her question.

Mr. McCurn noted that he had comments but would hold them until the amendment was up for discussion.

Mr. J. Brown inquired if it would be appropriate to approve the Ordinance and then amend it, or if it should be amended prior to a vote for approval. Mr. Worley advised that it would be appropriate to amend the Ordinance first.

Upon motion by Mr. J. Brown, seconded by Mr. McCurn and approved by majority vote (Ms. Reynolds voted no), the Ordinance was amended to include “ex officio”.

Mr. McCurn stated that after consideration, he had since changed his opinion and concurred with Mr. J. Brown’s concerns. He noted the importance of clear communication and the ability to convey thoughts directly as needed, both of which would require a Councilmember to achieve, but agreed that the position did not need to have the ability to vote.

Ms. Lamb pointed out that a Section number was missed when Mr. J. Brown read the motion to amend and that the amendment may need to be rephrased for clarification and accuracy in the meeting minutes.

Mr. Barberie elucidated that ‘ex officio’ does not necessarily mean ‘non-voting’ so if that was the desire, ‘non-voting’ would need to be included in the amendment language.

Ms. Lamb suggested Mr. J. Brown restate the motion to include only the amended language.

Mayor Gorton asked Mr. J. Brown if he wanted to restate his motion. Mr. Worley remarked that he believed from the discussion that the language was understood and inquired with Council Clerk Allan if she understood the intent behind the motion. Council Clerk Allan confirmed.

Mr. Barberie interjected that the amended Ordinance would require a new first reading and advised Council Clerk Allan on the amended language to be read.

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An Ordinance amending Section 2-516 of the Code of Ordinances to add an eighth member, who shall be a non-voting, ex officio Urban County Council Member, to subsection 2-516(1), to remove subsection 2-516(4), which makes a holder of public office ineligible for service as a member of the Authority, and to renumber the remaining

subsections to be consistent with this change; effective on the date of passage received first reading.

Upon motion by Mr. J. Brown, seconded by Mr. McCurn, and approved by unanimous vote, the rules were suspended and the ordinance received second reading.

Upon motion by Vice Mayor Kay, and seconded by Ms. Plomin, the ordinance was approved by the following vote:

Aye:	Higgins-Hord, Kay, McCurn, Moloney, Mossotti, Plomin, Reynolds, Worley, Bledsoe, J. Brown, Ellinger, Farmer	-----12
Nay:	Lamb, F. Brown	-----2
Absent:	Swanson	-----1

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Mr. Swanson departed the meeting at 7:03 p.m.

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The following ordinances received second reading. Upon motion by Mr. Farmer, and seconded by Mr. Ellinger, the ordinances were approved by the following vote:

Aye:	Higgins-Hord, Kay, Lamb, McCurn, Moloney, Mossotti, Plomin, Reynolds, Swanson, Worley, Bledsoe, F. Brown, J. Brown, Ellinger, Farmer	-----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, FY 2021 Schedule No. 19.

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to reflect current requirements for funds in the amount of \$40,000 to provide funds for Council Projects in the Div. of Environmental Services for the Richmond Rd. Beautification Project and appropriating and re-appropriating funds, Schedule No. 21.

An Ordinance amending Section 2-479 of the Lexington Fayette Urban County Government Code of Ordinances to remove the requirement that the Affordable Housing Governing Board manage the financial and administrative actions of the Affordable Housing Fund, to remove the requirement that the board perform housing studies and instead require that the board review housing studies, to require that the board establish funding priorities based on identified needs, to authorize the board to establish a

Technical Assistance Advisory Group to assist the board and staff, and to remove the requirement that the board submit annual reports on the activities of the Affordable Housing Fund; amending Section 2-480 of the Lexington Fayette Urban County Government Code of Ordinances to remove the requirements that the Office of Affordable Housing work in conjunction with a technical assistance advisory group and other Divs. within the Dept. of Planning, Preservation, and Development, and to require the Office of Affordable Housing to submit annual reports on the activities of the Affordable Housing Fund; amending Section 2-483 of the Lexington Fayette Urban County Government Code of Ordinances to remove the requirement that projects funded by the affordable housing fund be non-supplantive, to clarify that the Affordable Housing Funds may be used for the acquisition, construction, or rehabilitation of all forms of housing, to authorize the use of Affordable Housing Funds for the refinancing of existing debt, to clarify that Affordable Housing Funds may be used for technical assistance directly related to creating any form of housing project, to remove the requirement that applicants submit an annual report of affordability to the Affordable Housing Governing Board, and to clarify that Affordable Housing Developments are subject to inspection.

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The following ordinances received first reading and were ordered to be placed on file for public inspection until December 1, 2020:

An Ordinance changing the zone from a Planned Neighborhood Residential (R-3) zone to a Light Industrial (I-1) zone, for 37.87 net (40.82 gross) acres, from a Professional Office (P-1) zone to a Highway Service Business (B-3) zone, for 7.98 net (9.12 gross) acres, from an Agricultural Rural (A-R) zone to a Highway Service Business (B-3) zone, for 1.69 gross and net acres, and from a Planned Neighborhood Residential (R-3) zone to a Highway Service Business (B-3) zone, for 0.82 gross and net acre, for properties located at 2501 and 2701 Spurr Rd., and 2710 Sullivans Trace. (Juby, LLC (AMD.); Council District 12).

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, FY 2021 Schedule No. 20.

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

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

Nay: -----0

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an agreement with the University of Ky. to provide keys to access construction gates.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Accreditation Agreement with the Council on accreditation, for reaccreditation of the Dept. of Social Services, at a cost not to exceed \$19,629 in FY 2021.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with the U.S. Dept. of Energy, Portsmouth/Paducah Project Office for Police response during security incidents.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to Ky. American Water Co., for Stormwater Quality Projects, at a cost not to exceed \$300,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a third renewal of the Agreement with Stantec Consulting Services, Inc., for continued program management services for the Sanitary Sewer Capacity Assurance Program required by the Consent Decree, at a cost estimated not to exceed \$329,370.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a temporary permit with the U.S. Dept. of Justice, Federal Bureau of Prisons, for the replacement of the access road culvert to the Lower Town Branch Pump Station, on the property located at 3301 Leestown Rd., at no cost to the Urban County Government.

A Resolution authorizing approval of a Maintenance and Support Agreement with Idemia Identity & Security USA LLC, a sole source provider for maintenance and support on the Morphobis Latent Expert Workstation at a cost not to exceed \$8,899 per year.

A Resolution authorizing the Div. of Water Quality to procure the relocation of electric utilities by Ky. Utilities, for the Upper Cane Run Wet Weather Storage Project, a Remedial Measures Project required by the Consent Decree, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Ky. Utilities, related to the relocation of utilities, at a cost estimated not to exceed \$30,336.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement with AECOM for a LexMPO Congestion Management Bottleneck Study, in response to RFP No. 23 2020, at a cost not to exceed \$224,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Council on Child Abuse, Inc., d/b/a Prevent Child Abuse Ky., Inc. (PCKA), to accept a Grant in the amount of \$13,519, in order to provide a Self Help, Parent Education and Support Group at the Family Care Center for FY 2021, the acceptance of which obligates the Urban County Government to a \$6,058 in kind match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing payment of Federal funds received from the Ky. Dept. of Military Affairs, Div. of Emergency Management, through the Chemical Stockpile Emergency Preparedness Program (CSEPP) for FY 2020, in a sum not to exceed \$29,000, to Management Registry, Inc., (f/k/a Omnisource Integrated Supply, LLC), to fund three (3) Contract positions for WebEOC coordinator services, exercise coordinator services, and access and functional needs coordinator services for FY 2021, and authorizing and directing 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 Lexington Home Ownership Commission II, Inc. (\$1,000), for the Office of the Urban County Council, at a cost not to exceed the sum stated.

A Resolution accepting the bids of Bobcat Enterprises, Inc., and Sunbelt Rentals, Inc., establishing price contracts for Equipment Rental without Operator, for the Div. of Streets and Roads.

A Resolution accepting the bid of AISCO, LLC d/b/a Baleties.com, establishing a price contract for baling wire, for the Div. of Waste Management.

A Resolution accepting the bids of General Parts Distribution, LLC d/b/a Advance Auto Parts; Bachman Auto Group, Inc.; Bluegrass International Trucks; Clarke Power Services, Inc.; Dukes A&W Enterprises, LLC; Fleetpride, Inc.; Lexington Truck Sales, Inc.; and Worldwide Equipment, Inc., establishing price contracts for Heavy Duty Auto Parts, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Herrick Co., Inc., in the amount of \$74,350, for the Chlorine Building Catwalk Project, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Herrick Co., Inc., related to the bid.

A Resolution accepting the bid of Brownfields Development, LLC, establishing a price contract for Clearing and Grubbing Services, for the Div. of Water Quality.

A Resolution accepting the bid of Smith Contractors, Inc., in the amount of \$1,526,000, for the West Hickman BPR Improvements, and authorizing the Mayor, on behalf of the Urban County Government, to execute an agreement with Smith Contractors, Inc., related to the bid.

A Resolution accepting the bids of Morgan Electric Motor Sales & Service, Inc., and B.L. Anderson Co., establishing price contracts for Electric Motors and Pumps Repairs or Replacements, for the Div. of Water Quality.

A Resolution ratifying the Probationary Classified Civil Service Appointments of: Christopher Kirkland, Network Systems Administrator, Grade 520E, \$1,919.20 biweekly in the Div. of Computer Services, effective November 23, 2020, Donna Jones, Equipment Operator, Grade 510N, \$15.884 hourly in the Div. of Streets and Roads, effective November 16, 2020, Thomas Hilbrand, Solids Processing Supervisor, Grade 519E, \$2,710.96 biweekly in the Div. of Water Quality, effective November 23, 2020, Joseph Boone, Equipment Operator Sr., Grade 512N, \$16.798 hourly in the Div. of Water Quality, effective November 23, 2020, Cameron Kennedy, Equipment Operator Sr., Grade 512N, \$17.062 hourly in the Div. of Water Quality, effective November 23, 2020, Timothy Higgins, Equipment Operator, Grade 510N, \$16.030 hourly in the Div. of Water Quality, effective November 23, 2020, Lauren Wood, Building Inspector, Grade 517N, \$21.471

hourly in the Div. of Building Inspection, effective November 23, 2020; and ratifying the Permanent Classified Civil Service Appointments of: Kayla Gray, Staff Assistant Sr., Grade 510N, \$15.293 hourly in the Div. of Revenue, effective October 20, 2020, Matthew Marsh, Traffic Signal Technician Sr., Grade 515N, \$21.892 hourly in the Div. of Traffic Engineering, effective September 23, 2020; and ratifying the Probationary Sworn Appointments of: Jeremy Brislin, Police Lieutenant, Grade 317E, \$3,346.89 biweekly in the Div. of Police, effective November 16, 2020, Weslee Farley, Police Sergeant, Grade 315N, \$32.408 hourly in the Div. of Police, effective November 16, 2020, John Steele, Police Sergeant, Grade 315N, \$32.408 hourly in the Div. of Police, effective October 26, 2020, Shannon Ison, Fire Captain, Grade 316N, \$26.753 hourly in the Div. of Fire and Emergency Services, effective October 27, 2020, Steven McCrum, Fire Captain, Grade 316N, \$26.753 hourly in the Div. of Fire and Emergency Services, effective October 26, 2020, James Moore, Fire Captain, Grade 316N, \$26.753 hourly in the Div. of Fire and Emergency Services, effective October 26, 2020, Jacob Sea, Fire Captain, Grade 316N, \$26.753 hourly in the Div. of Fire and Emergency Services, effective October 27, 2020, Donavon Wilson, Fire Captain, Grade 316N, \$26.753 hourly in the Div. of Fire and Emergency Services, effective October 26, 2020, Adam Cramer, Fire Lieutenant, Grade 315N, \$20.902 hourly in the Div. of Fire and Emergency Services, effective October 26, 2020, Brad Dusing, Fire Lieutenant, Grade 315N, \$20.902 hourly in the Div. of Fire and Emergency Services, effective October 26, 2020, Christopher Innes, Fire Lieutenant, Grade 315N, \$20.902 hourly in the Div. of Fire and Emergency Services, effective October 27, 2020, Christopher MacFarlane, Fire Lieutenant, Grade 315N, \$20.902 hourly in the Div. of Fire and Emergency Services, effective October 12, 2020, Jeff Miles, Fire Lieutenant, Grade 315N, \$20.902 hourly in the Div. of Fire and Emergency Services, effective October 27, 2020, Robert Mott, Fire Lieutenant, Grade 315N, \$20.902 hourly in the Div. of Fire and Emergency Services, effective October 26, 2020, Christopher Oakley, Fire Lieutenant, Grade 315N, \$20.902 hourly in the Div. of Fire and Emergency Services, effective October 27, 2020, John Claude Whitnel, Fire Lieutenant, Grade 315N, \$20.902 hourly in the Div. of Fire and Emergency Services, effective October 27, 2020; and ratifying the Council leave of: Mark Grimes, Public Service Worker Sr., Grade 509N, \$18.069 in the Div. of Parks and Recreation, effective October 27, 2020 through

November 15, 2020; and ratifying the following Unclassified Civil Service Appointment: Adam Daugherty, Treatment Plant Operator Apprentice Class II, Grade 512N, \$18.009 hourly in the Div. of Water Quality, effective November 23, 2020, Harold Kouns, Extended School Program Manager, Grade 524E, \$2,538.48 biweekly in the Div. of Parks and Recreation, effective November 23, 2020.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the Commonwealth of Ky. Justice and Public Safety Cabinet, Ky. State Police, for the acceptance of Federal funds in the amount of \$20,000, under the Ticketing Aggressive Cars and Trucks (TACT) Grant Program - FY 2021, the acceptance of which obligates the Urban County Government for the expenditure of \$4,413 as a local match, 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. 3 (Final) to the Agreement with WRC 1, LLC d/b/a W. Rogers Co., LLC, for the Wabash, Goodrich, Pensacola, and Lackawanna (WGPL) Storm Sewer Project, decreasing the Contract price by the sum of \$68,566.75, from \$1,301,512.78 to \$1,232,946.03, and extending the date of completion to April 10, 2020.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a certificate of consideration and other necessary documents, and to accept a deed for the property located at 500 Lisa Dr., for the Joyland Area Storm Drainage Project, at a cost not to exceed \$50,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation of \$250 from a recovery group meeting to be used for park maintenance.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Maintenance Agreement with Q-Free America, for maintenance of computerized traffic control system, at a cost not to exceed \$39,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Professional Services Agreement with LexArts Inc., to provide support to the arts community, at a cost not to exceed \$200,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from Ky. State Police of two (2) REMOTEC Robots, for use at the Div. of Police, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Letter of No Objection with Columbia Gas of Ky., Inc, authorizing the construction of an access driveway in a portion of right of way and easement on the property located at 2349 Richmond Rd., at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept an award of an additional \$39,000 in Federal funds from the Ky. Cabinet for Health and Family Services, Dept. for Community Based Services, to support child care expenses at the Family Care Center, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and 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 Letter of Agreement with Lexington Air Traffic Control Tower, for designation of discrete transponder codes and radiotelephony call signs.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Agreement with Meadowbrook Concrete, LLC, for the Old Frankfort Pike Scenic Overlook, increasing the Contract Price by the sum of \$11,457 from \$496,750 to \$508,207.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an amendment to an Agreement with the Fayette County Commonwealth Attorney's Office, extending the period of performance through December 31, 2020, for operation of the Street Sales program.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from Ky. American Water, which Grant funds are in the amount of \$500 under Ky. American Water's 2020 Firefighting Support Grant Program, for the purchase of Personal Protective Equipment Hoods, 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 approve and adopt substantial amendments to the 2019 Consolidated Plan Annual Action Plan and to accept additional Community Development Block Grant funds from the U.S. Dept. of Housing and Urban Development, which Grant funds are in the amount of \$1,343,569 in Federal funds provided under the CARES Act, for the Community Action Council for Lexington Fayette, Bourbon, Harrison and Nicholas counties (\$620,211), Refuge Ministries, Inc. (\$60,000), the Explorium (in partnership with William Wells Brown Elementary) (\$56,372), New Vista of the Bluegrass (\$166,135), Foodchain (\$53,195), NAMI Lexington (\$180,000), and administrative fees for the LFUCG Div. of Grants and Special Programs (\$207,656), 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 Volunteer Income Tax Assistance/Tax Counseling for the Elderly (VITA/TCE) Partner Sponsor Agreement and an Internal Revenue Service Civil Rights Assurance, for provision of the 2021 Volunteer Income Tax Assistance Program at the Charles Young Center, 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. Justice and Public Safety Cabinet to accept a Grant in the amount of \$52,156 Federal funds under the Victim Assistance Formula Grant funded by the Victims of Crime Act ("VOCA"), for the support of a Bilingual Victim's Advocate in the Div. of Police in FY 2021, the acceptance of which will include the Urban County Government making an expenditure of \$13,539 as a planned 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 Agreements with East End Community Development Corp. (\$625), Hill-N-Dale Neighborhood Association (\$500), and Pine Meadows Neighborhood Association (\$1,100), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

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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 Merlino, Municipal Engineer Sr., Grade 525E, \$2,807.70 biweekly in the Div. of Water Quality, effective February 1, 2021, Ace Ray, Public Service Worker, Grade 507N, \$13.147 hourly in the Div. of Parks and Recreation, effective upon passage of Council, Eric Smith II, Public Service Worker, Grade 507N, \$12.893 hourly in the Div. of Parks and Recreation, effective upon passage of Council; and authorizing the Div. of Human Resources to make a conditional offer to the following probationary Community Corrections Officer appointments: Cory Crowe, Christopher Roberts, Timothy Gulley, all Community Corrections Officer Recruit, Grade 109N, \$15.384 hourly in the Div. of Community Corrections, effective upon passage of Council; and authorizing the Div. of Human Resources to make a conditional offer to the following Unclassified Civil Service appointments: Patrick Philpot, Treatment Plant Operator Apprentice, Grade 509N, \$14.027 hourly in the Div. of Water Quality, effective December 7, 2020 received first reading.

Upon motion by Mr. J. Brown, seconded by Mr. Worley, and approved by unanimous vote, the rules were suspended and the resolution received second reading.

Upon motion by Vice Mayor Kay, and seconded by Ms. Reynolds, the resolution was approved by the following vote:

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

Nay: -----0

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The following resolutions received first reading and were ordered to be placed on file for public inspection until December 1, 2020:

A Resolution accepting the bids of Paul Miller Ford, Fuller Ford, Inc., and Martin's Peterbilt of Central Ky., LLC, establishing price contracts for automotive and truck parts OEM (supplemental), for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Ron Cooper Co., Inc., establishing a price contract for Recording Supplies for the Office of the Fayette County Clerk.

A Resolution accepting the bid of Judy Construction Co., in the amount of \$6,551,000, for the Upper Can Run Wet Weather Storage, for the Div. of Water Quality, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Judy Construction Co. related to the bid.

A Resolution accepting the bids of Victory Supply, Medzon, Norfleet Distributors, LLC, Glove Planet, LLC, Global Geeks, Inc., and Great Hawk Air Service, establishing price contracts, for the Div. of Community Corrections.

A Resolution accepting the bid of Roberts Heavy Duty Towing, Inc., and City Towing Service, Inc., establishing price contracts for Towing of LFUCG owned vehicles, for the Div. of Facilities and Fleet Management.

A Resolution ratifying the Permanent Classified Civil Service Appointments of: Amanda Shaffer, Telecommunicator Supervisor, Grade 520E, \$1,998.80 biweekly in the Div. of Enhanced 911, effective November 25, 2020; and ratifying the Permanent Sworn Appointments of: Brynne Adams, Alexander Arnold, Jake Bailey, John Beath, Rachael Curnutte, Michael Dick, Jessica Entenmann, Aaron Hamby, Bobby Hoskins, Trenton Hurlburt, Vita Kasko, Taylor Merideth, Samuel Price, Ryan Proctor, Connor Sands, Wesley Sharp, Emilee Sizemore, Bradan Smith, Russell Stewart, Alison Winters, all Police Officer, Grade 311N, \$20.765 hourly in the Div. of Police, effective October 19, 2020.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with Hydromax USA, LLC, for 2020 Capacity Assurance Program Temporary Flow Monitoring, decreasing the Contract price by the sum of \$10,230.80, from \$164,470.00 to \$154,239.20.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Release of Claims Agreement with Corporal Cody Tingle, for care of retired Canine Kyro/Ozzy and retired Canine Clyde.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Showprop Lexington, LLC and L M Asphalt Partners, Ltd. d/b/a ATS Construction, to provide for the sharing of costs for resurfacing of Lexington Center Dr., at a cost estimated not to exceed \$9,054.17.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from Lowe's Hamburg Store #2345 of a Weber Grill, for use at the Div. of Police.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with E.C. Matthews Co., Inc., for the Richmond Rd. Phase Two Corridor Landscape Project, increasing the Contract price by the sum of \$31,134, from \$128,400 to \$159,534, and extending the date of completion by 192 calendar days, to March 31, 2021.

A Resolution amending Resolution No. 419 2020 to provide the Community Action Council for Lexington Fayette, Bourbon, Harrison, and Nicholas Counties, Inc., with an additional \$253,000 in funding, which includes an administrative fee not to exceed ten percent, with said funding reallocated from the unspent funds previously authorized by Resolution No. 419 2020, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary related Amendments to Agreements.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 3 to the Agreement with Dugan & Meyers, LLC, for the Town Branch Waste Water Treatment Plant Thickening Process Upgrades, decreasing the Contract price by the sum of \$8,731, from \$3,305,318 to \$3,296,587.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Bluegrass Community and Technical College (BCTC), for services relating to water quality monitoring in the Town Branch Watershed, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Release of Easements, releasing utility easements and sidewalk easements on the property located at 840 Angliana Ave.

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Ms. Bledsoe departed the meeting at 6:43 p.m.

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute any and all documents necessary to declaring the property located at 2450

Southview Dr. as surplus property, and authorizing disposal of the property to surrounding landowners, at a cost not to exceed \$750.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government to execute a multiyear Purchase & Support Agreement with Unified Technologies, LLC, for annual maintenance and support of the ShoreTel telephone system at the Black & Williams Center and the Senior Center, at a cost not to exceed \$6,945.51 in FY 2021.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with E.C. Matthews Co., Inc., for the Versailles Rd. Welcome Sign Project, increasing the Contract price by the sum of \$16,991, from \$112,700 to \$129,691, and extending the date of completion by 192 calendar days, to March 31, 2021.

A Resolution authorizing the Div. of Human Resources to make conditional and promotional offers to the successful candidates for Classified Civil Service, Unclassified Civil Service and sworn positions; directing the Mayor to provide a list of the names of the successful candidates, pay grades and salaries no later than January 14, 2021; and providing that this authorization shall expire on January 8, 2021.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to an Agreement with the Harrods Hill Recreation Center, extending the period of performance through May 31, 2021, to complete improvements at the Recreation Center.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept an award of an additional \$9,920 in Federal funds from the Lexington Fayette County Health Dept., in order to continue the Home Network Project, also known as the Ky. Health Access Nurturing Development Services (HANDS) Program, at the Family Care Center for FY 2021, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing and directing 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 Environmental Enterprises, Inc. (EEI), in order to apply Grant funds in the amount of \$100,000 in Commonwealth of Ky. funds

received from the Ky. Energy and Environment Cabinet for FY 2021 to pay EEI'S disposal costs associated with the Fall 2020 Fayette County Household Hazardous Waste Recycling event.

A Resolution of the Lexington Fayette Urban County Government approving the execution and delivery by Scott County Fiscal Court of its Scott County Fiscal Court Healthcare Revenue Bonds, Series 2020 (Ky. Easter Seal Society, Inc. Project) in an amount not to exceed \$10,000,000 (the "Bonds"), and the use of the proceeds thereof to assist Ky. Easter Seal Society, Inc. (the "Corporation") (a) to finance the costs of the purchase of the Corporation's building located at 1900 Richmond Rd. Lexington, Ky. and (b) to pay the costs of issuance.

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Ms. Bledsoe returned to the meeting at 6:50 p.m.

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

(1) Termination of Clarence Burnett, Resource Recovery Operator, Div. of Waste Management, effective October 7, 2020; (2) Termination of Jathniel Chenault, Public Service Work Sr., Div. of Streets and Roads, effective October 26, 2020; (3) Resignation of Crystal Harris, Community Corrections officer, Div. of Community Corrections, effective October 1, 2020; (4) Resignation of Megan Cadwell, Family Support Worker Sr., Div. of Family Services, effective October 2, 2020; (5) Resignation of Sheldon Holland, Resource Recovery Operator, Div. of Waste Management, effective October 19, 2020; (6) Resignation Lisa Hack, Police Officer, Div. of Police, effective October 26, 2020; (7) Resignation of Steven Haney, Director of Community Corrections, Div. of Community Corrections, effective September 30, 2020; (8) Resignation of Justine McHone, Community Corrections Officer, Div. of Community Corrections, effective October 19, 2020; (9) Resignation of Tyrus Day, Resource Recovery Operator, Div. of Waste Management, effective October 6, 2020; (10) Resignation of Justin Tyree, Firefighter 56, Div. of Fire and Emergency Services, effective October 11, 2020; (11) Resignation of Bonnie McQuinn, Deputy Coroner, Fayette County Coroner's Office, effective October 9, 2020; (12) Resignation of Stewart Russell, Police Officer, Div. of Police, effective October 27, 2020; (13) Resignation of Cheri Reed, Administrative Specialist Sr., Div. of Revenue,

effective October 16, 2020; (14) Resignation of Kelsey Parry, Equipment Operator, Div. of Streets and Roads, effective October 15, 2020; (15) Resignation of Derrick Glover, Police Officer, Div. of Police, effective October 29, 2020; and, (16) Resignation of Lucas Bentley, Treatment Plant Operator, Div. of Water Quality, effective October 9, 2020.

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Mayor Gorton recognized the passing of Senator Reggie Thomas' mother, Wanda Thomas, who had served many years as Director of Adult Services, and Fourth District Resident John William "Bill" McCord, father of Mary Diane Hanna and Carolyn Rasnick. She shared that Mr. McCord's ancestry included some of the original settlers in Fort Boonesborough, Kentucky.

* * *

Mr. Moloney wished everyone a Happy Thanksgiving. He wished employees a very Happy Thanksgiving and explained that due to the county's "Red Zone" COVID-19 status, he would not be making his usual Friday rounds to offices to wish everyone a happy holiday. Mr. Moloney expressed gratitude for those employees who have continued into the office daily and thanked them for their hard work.

* * *

Mr. J. Brown wished everyone in city government and the Lexington community, a Happy Thanksgiving. He requested that Chief Administrative Officer Sally Hamilton, and Commissioner Ken Armstrong, Dept. of Public Safety, look into implementing some leniency on Code Enforcement fines, out of consideration for the loss of employment, non-collection of rent as income, and other financial issues residents have been struggling with as a result of the COVID-19 pandemic.

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Mr. F. Brown departed the meeting at 7:06 p.m.

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Mr. Farmer shared an update on the paving on Euclid, noting that on Euclid Ave. up to S. Ashland Ave. would be paved and marked by the end of the day, Friday, November 20, and the 800 block of Euclid Ave. including the area around the corner of E. High St., would be completed by the end of the following week. He announced that the upcoming Friday, November 27, would literally be Black Friday in Chevy Chase Shops as

the area would have entirely new asphalt. Mr. Farmer commented that while the Thanksgiving holiday will be different this year than ever before, it is no less special or important.

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Upon motion by Ms. Higgins-Hord, seconded by Ms. Plomin, and approved by unanimous vote, the meeting adjourned at 7:08 p.m.

Deputy Clerk of the Urban County Council