

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky November 14, 2019

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on November 14, 2019 at 6:02 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the council: Evans, Farmer, Gibbs, Kay, Lamb, Mossotti, Plomin, Reynolds, Worley, F. Brown, J. Brown, and Ellinger. Absent were Council Members McCurn, Moloney and Bledsoe.

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

Ordinances No. 84-2019 through 87-2019, inclusive, and Resolutions No. 577-2019 through 597-2019, inclusive, were reported as having been signed and published and ordered to record.

* * *

The Invocation was given by Mr. Marcus Patrick, Director of Urban Impact. Mr. Patrick was joined at the podium by some of the program's youth participants.

* * *

Upon motion by Mr. Farmer, seconded by Vice Mayor Kay, and approved by unanimous vote, the Minutes for the October 15, 2019 and October 29, 2019 Zone Change Public Hearings, October 16, 2019 Police Disciplinary Hearing, and October 24, 2019 Council Meeting were approved.

* * *

Mayor Gorton asked Diane Spencer, previous National Southern Division Vice President and previous Kentucky American Legion Auxiliary Department President, to join her at the podium and read a Proclamation declaring November 14, 2019 as American Legion Day in Lexington in honor of American Legion Auxiliary's 100th Anniversary. Mayor Gorton asked all members of American Legion in the audience to please stand for recognition and a round of applause.

* * *

Mayor Gorton asked the Lafayette High School Drum Majors and Directors, known as "The Pride of the Bluegrass," to join her at the podium, along with Ms. Reynolds, and read a Proclamation declaring November 14, 2019 as Lafayette Band Day in Lexington.

She congratulated the band on winning the prestigious 2019 Bands of American Johnson City Regional Championship as well as another state championship. Mayor Gorton praised the successful history of the Lafayette Band Program and celebrated the accomplishments of Band Directors Chuck Smith and Robert Bishop, and Drum Majors Shannon James, Grace Hughes, Jenna Fugazzi, and Phenex Schwarz-Ward.

Ms. Reynolds congratulated the band members on their championships, and spoke of the hard work and time dedication put forth by the band members in order to achieve these awards.

Mr. F. Brown spoke of the admiration he has for local high school band programs as many of his family members have participated over the years.

Mr. Smith expressed pride and gratitude for being able to represent Lexington to the many communities encountered across the country during their championship travels.

* * *

Ms. Lamb recognized Liam Haifu Detjen of Scout Troop 41, who was attending the meeting to earn his Citizenship Badge.

* * *

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: Evans, Farmer, Gibbs, Kay, Lamb, -----12
Mossotti, Plomin, Reynolds, Worley, F.
Brown, J. Brown, Ellinger

Nay: -----0

An Ordinance pursuant to Section 2-1(a) of the Code of Ordinances of the Lexington Fayette Urban County Government, adopting a schedule of meetings for the Council for the calendar year 2020.

An Ordinance amending the authorized strength by abolishing one (1) vacant classified position of Body & Paint Mechanic, Grade 514N, and creating one (1) classified position of Vehicle & Equipment Technician, Grade 514N, in the Div. of Facilities and Fleet Management, effective upon passage of Council.

An Ordinance closing a portion of Rodes Ave.; determining that the property owner abutting the portion 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 a Quitclaim Deed transferring the former right-of-way to the abutting owner, subject to the reservation of easements and restrictions.

An Ordinance amending Section 2-460 of the Code of Ordinances of the Lexington Fayette Urban County Government changing the terms of service for elected officers from one (1) year to two (2) years.

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. 16.

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to provide funds for purchase orders rolling from FY 2019 into FY 2020, and appropriating and re-appropriating funds, Schedule No. 17.

An Ordinance abolishing the Address Hearing Board; amending Sections 17-3(c) and 17-4.2 of the Lexington Fayette Urban County Code of Ordinances to assign the duties of the Address Hearing Board to the Administrative Hearing Board established in Section 12-6 of the Code of Ordinances; and striking section 17-4.3 of the Code of Ordinances in its entirety.

* * *

The following ordinances received first reading and were ordered placed on file for public inspection until November 21, 2019:

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 Section 17-164 of the Lexington Fayette Urban County Code of Ordinances to require applicants to the Sidewalk Replacement Grant Program to reside upon the property for which they seek assistance, directing that Grants be awarded for replacement projects completed within the fiscal year the Grants are awarded, and requiring that applicants for a 100% Grant receive approval from the Div. of Code Enforcement prior to undertaking sidewalk replacement; further amending Section 17-165 of the Code of Ordinances to decrease the percentage of Grant funds that must be reserved for qualified individuals, and permitting any unused, reserved Grant

funds to be made available to all individuals thirty (30) days before the end of the fiscal year.

* * *

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the U.S. Dept. of Justice, which Grant funds are in the amount of \$9,477 Federal funds under the 2018 State Criminal Alien Assistance Program (SCAAP), are for reimbursement of costs related to the incarceration of undocumented criminal aliens, 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 received second reading.

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

Aye:	Evans, Farmer, Gibbs, Kay, Lamb, Mossotti, Plomin, Worley, F. Brown, J. Brown, Ellinger	-----11
Nay:	Reynolds	-----1

* * *

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

Aye:	Evans, Farmer, Gibbs, Kay, Lamb, Mossotti, Plomin, Reynolds, Worley, F. Brown, J. Brown, Ellinger	-----12
Nay:		-----0

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Professional Service Agreements with Jean Nicole Perkins and Megan Woods, for service as Sexual Assault Nurse Examiners on an on call basis for the performance of sexual assault examinations through December 31, 2019, at a cost not to exceed \$22,210.

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

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Amendment No. Two (2) to the Agreement with Bluegrass Area

Development District, increasing Federal funding in the amount of \$1,348, for operation of the Lexington Senior Center for FY 2020.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Quitclaim Deed and any other documents necessary to transfer a portion of non-utilized right of way located adjacent to the property at 1287 Manchester St. to the abutting property owner.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Substation Easement, and all other necessary documents, granting Ky. Utilities Co. a permanent easement upon a portion of the real property located at the terminus of Ty Ct.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 (Final) to the Agreement with C3 Construction, LLC, for the Riviera Rd. Culvert Replacement Project, increasing the contract price by the sum of \$11,992.50, from \$270,000.00 to \$281,992.50, and extending the date of completion by sixty (60) calendar days, to September 6, 2019.

A Resolution amending Resolution No. 323-2019, which authorized the acceptance of deeds for property interests needed for the UK Trunk C, D, and E Sewer Project, a Remedial Measures Project required by the Consent Decree, increasing the cost by the sum of \$4,000, from \$8,000 to \$12,000.

A Resolution amending Resolution No. 59-2019, which authorized the acceptance of deeds for property interests needed for the Wolf Run B & C Trunk Sewer Project, a Remedial Measures Project required by the Consent Decree, increasing the cost by the sum of \$99,000, from \$46,100 to \$145,100.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Friends of the Lexington Senior Center (\$1,500), for the Office of the Urban County Council, at a cost not to exceed the sum stated.

A Resolution accepting the bid of R.P. Foster, Inc. d/b/a Foster Supply, Inc., establishing a price contract for Tactile Warning Tiles, for the Div. of Streets and Roads.

A Resolution accepting the bid of Norman Story & Associates, LLC, in the amount of \$49,913.50, for In Ground Lift Repair, for the Div. of Fire and Emergency Services.

A Resolution accepting the bid of Smith Contractors, Inc., in the amount of \$3,188,500, for the Sharon Village Pump Station Project, 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 bid of Brenntag Mid-South, Inc., establishing a price contract for Sulfur Dioxide Liquid, for the Div. of Water Quality.

A Resolution accepting the bid of Brenntag Mid-South, Inc., establishing a price contract for Liquid Chlorine for Treatment Plants, for the Div. of Water Quality.

A Resolution accepting the bid of Labor Works Lexington, LLC, establishing a price contract for Temporary Labor, for the Div. of Water Quality.

A Resolution ratifying the Probationary Classified Civil Service Appointments of: Darrell Watkins, Resource Recovery Operator, Grade 513N, \$23.335 hourly in the Div. of Waste Management, effective October 28, 2019, Kenny Priddy, Heavy Equipment Technician, Grade 518N, \$23.246 hourly in the Div. of Facilities and Fleet Management, effective October 28, 2019, and Margaret Boland, Administrative Specialist, Grade 513N, \$17.156 hourly in the Div. of Fire and Emergency Services, effective November 25, 2019; ratifying the Unclassified Civil Service pay increase to the Office of the Urban County Council of: Renea Buckles, Aide to Council, Grade 518E, from \$2,284.80 biweekly to \$2,611.20 biweekly, effective September 30, 2019; and ratifying the Classified Civil Service voluntary demotion of: Darryl Stewart, Resource Recovery Operator, Grade 513N, \$20.397 hourly in the Div. of Waste Management, effective October 28, 2019.

A Resolution designating the speed limit on Faircrest Dr., between Della Dr. and Laurel Hill Rd., as 25 miles per hour, and authorizing and directing the Div. of Traffic Engineering to install proper and appropriate signs in accordance with the designation.

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

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Analytic Insight, for the development of two strategic plans for the Offices of Homelessness Prevention and Intervention and Affordable Housing, in response to RFP No. 31-2019 at a cost not to exceed \$50,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Community Action Council for Lexington Fayette, Bourbon, Harrison and Nicholas Counties, for the operation of an Intensive Street Outreach Program, in response to RFP No. 30-2019 at a cost not to exceed \$280,000.

A Resolution authorizing the Div. of Fire and Emergency Services, on behalf of the Urban County Government, to purchase cardiac monitors from ZOLL, a sole source provider, at a cost not to exceed \$250,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Brandstetter Carroll, Inc., for design services for renovation of Fire Station #9, at a cost not to exceed \$31,750.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from CPAAA of 10 motorcycle helmets, for use at the Div. of Police, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the FM Global Fire Prevention Grant 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 \$4,550, and are for the purchase of seven (7) Canon Rebel T7 cameras and lenses for the Fire Investigations Bureau, 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 and submit a Grant Application to Ky. American Water, 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 \$500, under the 2019 Fire Fighting Support Grant, and are for the purchase of Personal Protective 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 an Agreement with the Lexington Fayette County Health Dept., for the provision of training and dispensing Naloxone to First Responders and community members, for the First Responders and Community Partners Overdose Prevention Program, at a cost not to exceed \$270,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute any and all documents necessary to subdivide the real property located at 105 Quinton Ct. as shown on the Administrative Action Amendment Non Building Minor Subdivision Plat, declaring the property identified as Lot 1A on the plat as surplus property, and authorizing disposal of the property at fair market value.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement of Purchase and Sale, and all other related documents, with a Great American Brand Real Estate, LLC, for the sale of 3 acres of real property located at 1551 McGrathiana Pkwy., for a sum of \$585,000, and authorizing other necessary actions.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute any and all documents necessary to subdivide the real property located at 2401 Richmond Rd. as shown on the Administrative Action Amendment Non Building Minor Subdivision Plat, declaring the property identified as Lot 6A on the plat as surplus property, and authorizing disposal of the property at fair market value.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement (awarded pursuant to RFP No. 32-2019) with Strand Associates, Inc., for investigation and design services for the Town Branch Waste Water Treatment Plant Scum Handling and Scum Facility Improvements Project, at a cost estimated not to exceed \$215,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement (awarded pursuant to RFP No. 33-2019) with GRW Engineers, Inc., for investigation and design services for the West Hickman Waste Water Treatment Plant Solids Processing Building Improvements Project, at a cost estimated not to exceed \$243,400.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the Office of the Fayette County Sheriff, for use of the Police Canine Facility.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 1 with the Ky. Transportation Cabinet, Office of Local Programs Transportation Alternatives Program, for the acceptance of additional Federal funds in the amount of \$208,000 for the Construction Phase of the Todds Rd. Sidewalk Project, the acceptance of which obligates the Urban County Government for the expenditure of \$52,000 as a local match.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Plan Renewal Agreement with Humana for the Medicare Advantage Plan, for the period beginning January 1, 2020 through December 31, 2020.

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, which Grant funds are in the amount of \$80,000 Federal funds, are for the continuation of the Street Sales Drug Enforcement Project, the acceptance of which obligates the Urban County Government for the expenditure of \$35,000 as a local match, authorizing the Mayor to transfer unencumbered funds within the Grant Budget, and authorizing and directing the Mayor to execute an Agreement with the Fayette County Commonwealth's Attorney's Office, for a full time prosecutor for the Street Sales Drug Enforcement Project, at a cost not to exceed \$95,300 for FY 2020.

* * *

At 6:45 p.m., Mr. Gibbs departed the meeting.

* * *

A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Classified Civil Service Appointments: Pete Spencer, Security Officer, Grade 507N, \$14.175 hourly in the Dept. of Public Safety, effective November 25, 2019 and Brandon Akerman, Maintenance Mechanic, Grade 515N, \$18.797 hourly in the Div. of Water Quality, effective December 9, 2019; and authorizing the Div. of Human Resources to make a conditional offer to the following probationary Community Corrections Officer appointments: Alaysha Clay, Michael S. McGinnis,

Michael D. McGinnis, Shane Adcock, Lorenzo Calderon, Katherine Prows Lepera, Thomas Wells, Jonathan Sparks, Cyrille Bisong, James Mulready, Zariah Kavanaugh, Amber Eversole, Elizabeth Baughman, and Shonna Swikel, all Community Corrections Officer Recruit, Grade 109N, \$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 Unclassified Civil Service appointment: Tonia Walters, Administrative Specialist Sr., Grade 516N, \$20.434 hourly in the Div. of Accounting, effective November 25, 2019 received first reading.

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

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

Aye:	Evans, Farmer, Kay, Lamb, Mossotti, Plomin, Reynolds, Worley, F. Brown, J. Brown, Ellinger	-----11
Nay:		-----0
Absent:	Gibbs	-----1

*

*

*

A Resolution authorizing and directing the Mayor to execute a Memorandum of Understanding with University of Kentucky Healthcare, CHI St. Joseph Hospital, and Baptist Health Lexington, that will provide a total sum of \$200,000 for the operation of the Community Paramedicine Program for the Div. of Fire and Emergency Services received first reading.

Upon motion by Ms. Mossotti, seconded by Ms. Plomin, and approved by majority vote, the rules were suspended and the resolution received second reading.

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

Aye:	Evans, Farmer, Kay, Lamb, Mossotti, Plomin, Reynolds, Worley, F. Brown, J. Brown, Ellinger	-----11
Nay:		-----0
Absent:	Gibbs	-----1

*

*

*

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Consultant Services Agreement with EOP Architects for the Design Services of the Government Center Building Envelope Evaluation Services increasing the amount by the sum of \$38,712.14 from \$64,000.00 to \$102,712.14 received first reading.

Upon motion by Ms. Mossotti, seconded by Ms. Plomin, and approved by majority vote, the rules were suspended and the resolution received second reading.

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

Aye:	Evans, Farmer, Kay, Lamb, Mossotti, Plomin, Reynolds, Worley, F. Brown, J. Brown, Ellinger	-----11
Nay:		-----0
Absent:	Gibbs	-----1

*

*

*

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with the 16th District PTA c/o Brenda Cowan Elementary (\$1,000), Greenhouse17 (\$2,700), Greenbriar Residents (\$1,200), Georgetown Street Area Neighborhood Association, Inc. (\$150), Kidney Health Alliance of KY., Inc. (\$400), Salvation Army (\$2,700), Black Church Coalition of the Bluegrass, Inc. (\$500), United Elite Allstar Cheerleading Booster Club, Inc. (\$200), Smithtown Community Neighborhood Organization, Inc. (\$100), and a Caring Place, Inc. (\$1,000), for the Office of the Urban County Council, at a cost not to exceed the sums stated received first reading.

Upon motion by Mr. Worley, seconded by Vice Mayor Kay, and approved by majority vote, the rules were suspended and the resolution received second reading.

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

Aye:	Evans, Farmer, Kay, Lamb, Mossotti, Plomin, Reynolds, Worley, F. Brown, J. Brown, Ellinger	-----11
Nay:		-----0
Absent:	Gibbs	-----1

*

*

*

The following resolutions received first reading and were ordered placed on file for public inspection until November 21, 2019:

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a First Amended Memorandum of Understanding with the Commonwealth of Kentucky, Finance and Administration Cabinet, and the Commonwealth of Kentucky, Kentucky Communications Network Authority, granting the Urban County Government the right to purchase a twenty eight (28) year indefeasible right-of-use to fiber optic cable already installed in Lexington Fayette County at a cost of \$63,588.

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 2020 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 Amendment to the Agreement with New Life Day Center, Inc., for the operation of the Litter Pickup Services with Panhandler Participation Program, increasing the Contract price by the sum of \$20,000, from \$100,000 to \$120,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from Anthem Ky. Medicaid, which Grant funds are in the amount of \$25,000, are for a transitional housing assistance fund for youth ages 18 to 24, 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, and authorizing and directing the Mayor to execute an Agreement With Arbor Youth Services, for the operation of a transitional housing program for youth ages 18 to 24 experiencing homelessness, at a cost not to exceed \$25,000.

A Resolution accepting the bids of Tom Chesnut Excavation and Construction Services, LLC, and Woodall Construction Co., Inc., establishing price contracts for Equipment Rental with Operator, for the Div. of Streets and Roads.

A Resolution accepting the bids of Finley Fire Equipment Co.; 911 Fleet and Fire Equipment Holdings, LLC d/b/a 911 Fleet & Fire Equipment; America's Bravest

Equipment Co.; The Public Safety Store, LLC; and Vogelpohl Fire Equipment, Inc., establishing price contracts for Emergency Fire Equipment, for the Div. of Fire and Emergency Services.

A Resolution accepting the bid of Bachman Auto Group, establishing a price contract for Chevrolet Silverado Trucks, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bids of Path Master, Inc.; Traffic Control Products; Baldwin & Sours, Inc.; Iron Armour, LLC; Traffic Parts, Inc.; Gridsmart Technologies, Inc.; Precision Traffic & Safety Systems Information; and General Traffic Equipment Corporation, establishing price contracts for Traffic Signal and Control Equipment, for the Div. of Traffic Engineering.

A Resolution accepting the bid of MAC Construction & Excavating, Inc., in the amount of \$10,963,000, for the UK Trunk Sewer C, D & E, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with MAC Construction & Excavating, Inc., related to the bid.

A Resolution accepting the bid of Basham Construction & Rental Co., Inc., in the amount of \$643,000, for the Shandon, Windburn & Thoroughbred Acres Trunk Sewer Connector, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Basham Construction & Rental Co., Inc., related to the bid.

A Resolution accepting the bid of Crown Trophy, establishing a price contract for Trophies, Plaques and Awards, for the Div. of Central Purchasing.

A Resolution ratifying the Probationary Classified Civil Service Appointments of: James Duff, Equipment Operator Sr., Grade 512N, \$18.092 hourly in the Div. of Water Quality, effective November 25, 2019, Jeremy Asbery, Heavy Equipment Technician, Grade 518N, \$21.760 hourly in the Div. of Facilities and Fleet Management, effective November 25, 2019 and Donna Lewis, Administrative Specialist, Grade 513N, \$23.468 hourly in the Div. of Planning, effective November 25, 2019; and ratifying the Permanent Classified Civil Service Appointments of: Judith Cox, Telecommunicator Supervisor, Grade 520E, \$1,933.76 biweekly in the Div. of Enhanced 911, effective October 15, 2019, David Wilson, Heavy Equipment Technician, Grade 518N, \$25.035 hourly in the Div. of Facilities and Fleet Management, effective October 15, 2019 and Gary Edwards, Heavy

Equipment Mechanic Apprentice, Grade 511N, \$16.830 hourly in the Div. of Facilities and Fleet Management, effective November 20, 2019.

A Resolution authorizing and directing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-46, to designate Aurora Ave., between Walton Ave. and North Ashland Ave., as being prohibited to through trucks, and authorizing and directing the Div. of Traffic Engineering to install proper and appropriate signs in accordance with the designation.

A Resolution changing the street names and property address numbers of 205-207 Wickliffe St. to 208 E. Second St. and 2280 Nicholasville Rd. to 125 E. Lowry Ln., all effective thirty (30) days from passage.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a License Agreement with Lexington Center Corporation for use of portions of the Lexington Convention Center and ancillary services for the Martin Luther King, Jr., Holiday Memorial Program, at a cost not to exceed the sum of \$9,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Contract with Fayette County Public Schools, for the operation of preschool classrooms for the 2019-2020 academic school year, at the Family Care 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 Supplemental Agreement No. 1 with the Ky. Transportation Cabinet, Office of Local Programs, under the Congestion Mitigation and Air Quality (CMAQ) program, for the acceptance of additional Federal funds in the amount of \$206,400 for the Right of Way Phase of the Improvements on Mercer Rd. at Greendale Project, the acceptance of which obligates the Urban County Government for the expenditure of \$51,600 as a local match.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an addendum to the Agreement with Bates Security, for a new alarm panel and monitoring, at a cost not to exceed \$1,178.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Consultant Services Agreement with WSP USA, Inc., for the

completion of the U.S. 27/Nicholasville Rd. Coordinated Corridor Land Use Plan and Transportation Study, in response to RFP No. 27-2019, at a cost not to exceed \$220,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. 5 to the Agreement with Gresham Smith and Partners, for the Construction Administration Services related to the Town Branch Commons Corridor Project, increasing the Contract price by the sum of \$199,949.00 from \$3,185,795.39 to \$3,385,744.39.

A Resolution authorizing and directing the Mayor to execute a Memorandum of Understanding with CASA of Lexington, Inc., Fayette County Family Courts and the Fayette County Attorney's Office, for the provision of statutorily required services for children who enter the Fayette Court System as a result of dependency, neglect and/or abuse.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Kentucky Office of Homeland Security, which Grant funds are in the amount of \$123,100 Federal funds, under the 2020 State Homeland Security Grant Program, are for the purchase of two (2) Digital X Ray System Upgrades, 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 an Agreement with Axon Enterprise Inc., for a new docking station for body worn cameras, at a cost not to exceed \$2,139.

A Resolution authorizing the Div. of Water Quality, on behalf of the Urban County Government, to purchase Supervisory Control and Data Acquisition (SCADA) Citect/Historian Support Services for the Town Branch and West Hickman Waste Water Treatment Plants and Pump Stations, from Advantage Industrial Automation, Inc., a sole source provider, at a cost not to exceed \$42,405.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement with AECOM, for the update of the ITS (Intelligent Transportation System) Architecture, in response to RFP No. 36-2019 at a cost not to exceed \$75,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Site Specific Agreement with the Jessamine South Elkhorn Water District and Barbara K. Maddox Trust and the Maddox Irrevocable Family Trust, to provide sanitary sewer conveyance and treatment capacity to the Drakes Landing Unit 1 development in Jessamine County.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 (Final) to the Agreement with Wooldridge Homes, Inc., for the Baker Court Pump Station Project, increasing the contract price by the sum of \$24,792.25, from \$328,969.00 to \$353,761.25, and extending the date of completion by 53 calendar days, to July 30, 2019.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the United States Dept. of Justice (DOJ), under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2020, which Grant funds are in the amount of \$148,589 Federal funds, are for the purchase of equipment for the Div. of Police, 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 accept two (2) Grants from the Ky. Office of Homeland Security, which total Grant funds are in the amount of \$44,280 Federal funds, under the 2020 Ky. Office of Homeland Security Grant Program, are for the replacement/purchase of equipment for the Div. of Fire and Emergency Services' Special Operations Team, 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 changing the property street names of 1112 Manchester St. to 1112 Manchester Pl., 1116 Manchester St. to 1116 Manchester Pl., 1118 Manchester St. to 1118 Manchester Pl., 1120 Manchester St. to 1120 Manchester Pl., 1122 Manchester St. to 1122 Manchester Pl., 1180 Manchester St. to 1180 Manchester Pl. and changing the street names and property address numbers of 1250 Deer Haven Ln. to 3725 Polo Club Blvd., all effective thirty (30) days from passage.

A Resolution authorizing the Dept. of Law to institute condemnation proceedings in Fayette Circuit Court to obtain permanent and temporary easements upon portions of the property located at 2285 Versailles Rd. for the Wolf Run Trunks B & C Waste Water System Improvements Project.

*

*

*

Upon motion by Vice Mayor Kay, and seconded by Mr. Farmer, the Communications from the Mayor were approved by majority vote and were as follows: (1) Recommending the reappointment of Mr. Mark Brand, Police Representative, to the Animal Care and Control Advisory Committee, with a term of November 19, 2019 to November 19, 2023; (2) Recommending the reappointments of Councilmember Amanda Bledsoe and Councilmember Fred Brown to the City Employees' Pension Fund Board, both with terms expiring December 31, 2020; (3) Recommending the reappointment of Mr. Robert Trimble, Utility Industry Representative, to the Corridors Commission, with a term of January 1, 2020 to January 21, 2024; (4) Recommending the reappointment of Ms. Liza Betz, Owner/Designee Retail Representative, to the Downtown Lexington Management District, with a term of December 8, 2019 to December 8, 2023; (5) Recommending the reappointment of Ms. Susan Plueger, Environmental Quality Representative, to the Keep Lexington Beautiful Commission, with a term of February 4, 2020 to February 4, 2024; (6) Recommending the reappointment of Mr. Thomas Gaines, to the Lexington Center Corporation Board of Directors, with a term of November 19, 2019 to November 19, 2023; (7) Recommending the reappointment of Ms. Kathy Artiles, Bluegrass Hospitality Association Member, to the Lexington Convention and Visitors Bureau Board of Directors, with a term of January 14, 2020 to January 14, 2024; (8) Recommending the reappointment of Mr. Scott Tremoulis, Citizen, to the Neighborhood Action Match Program Review Board, with a term of Neighborhood Action Match Program Review Board; and, (9) Recommending the reappointment of Mr. Thomas Appel, to the Sister Cities Program Commission, with a term of January 21, 2020 to January 21, 2024.

*

*

*

The following Communications from the Mayor were received for information only: (1) Resignation of William Faust, Fleet Operations Manager, Grade 521E, in the Dept. of Facilities and Fleet Management, effective October 11, 2019; (2) Resignation of Brandon

S. Harris, Police Officer, Grade 311N, in the Div. of Police, effective October 22, 2019; (3) Resignation of Louanne Burgess, Mailroom Clerk, Grade 508N, in the Dept. of General Services, effective October 4, 2019; (4) Resignation of Adam Perlmutter, Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective October 25, 2019; (5) Resignation of Nathan A. Price, Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective October 19, 2019; 6) Resignation of Kristopher Hughes, Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective October 1, 2019; (7) Reinstatement of Amber Robinson, Community Corrections Officer, Grade 110N, \$17.365 hourly in the Div. of Community Corrections, effective upon the passage of Council; and (8) Temporary Appointment of Michael Skidmore, Director of Risk Management, Grade 532E, \$4,136.80 biweekly in the Div. of Risk Management, effective August 5, 2019.

*

*

*

Commander Chris Schnelle, Div. of Police, presented a disciplinary matter regarding Officer Zachary Flowers. It is alleged that Officer Zachary Flowers has committed the offense of Use of Force in violation of KRS 95.450 and General Order 1973-02J, Disciplinary Procedure, Appendix B, Operational Rule 1.23 – Use of Force in that on the 13 day of June 2019, he allegedly:

On 6-13-19 at 2210 Officers were dispatched to the Hope Center at 360 West Loudon in reference to criminal trespassing. Upon arrival, officers made contact with the suspect, Mr. Jeffery Massengill who was acting disorderly inside the Hope Center. Officers arrested Mr. Massengill, placing handcuffs on him. He continued to act disorderly and officers placed hobbles on him and carried him to the patrol wagon. While being carried out, Mr. Massengill attempted to bite Officer Flowers. Officer Flowers threatened to punch Mr. Massengill if he bit him. At one point Mr. Massengill did bite Officer Flowers on the left upper arm. Officer Flowers then struck Mr. Massengill, while still handcuffed and hobbled, in the face with a closed-fist strike.

The appropriate punishment for this conduct is One (1) Month Suspension Without Pay, Mandatory EPA Counseling and Re-Training.

Upon motion by Vice Mayor Kay, seconded by Ms. Plomin and approved by majority vote, the disciplinary recommendation was approved.

*

*

*

Vice Mayor Kay made a motion to cancel the quarterly Committee of the Whole meeting scheduled for November 21, 2019 at 4:30 p.m. as there were no items on the agenda. Ms. Plomin seconded the motion and the motion was approved by majority vote.

Vice Mayor Kay made a motion to schedule a Special Committee of the Whole meeting for November 21, 2019 at 4:30 p.m. to discuss City Hall. Mr. Farmer seconded the motion and the motion was approved by majority vote.

*

*

*

Upon motion by Ms. Mossotti, seconded by Mr. Farmer, and approved by unanimous vote, the meeting adjourned at 7:01 p.m.

Deputy Clerk of the Urban County Council