

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky December 6, 2016

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on December 6, 2016 at 6:00 p.m. Present were Mayor Gray in the chair presiding, and the following members of the council: Plomin, Scutchfield, Stinnett, Akers, Bledsoe, F. Brown, J. Brown, Evans, Farmer, Gibbs, Henson, Kay, Lamb, Moloney, and Mossotti.

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

Ordinances No. 196-2016 through 206-2016, inclusive, and Resolutions No. 694-2016 through 720-2016, inclusive, were reported as having been signed and published and ordered to record.

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Lexington, Kentucky December 6, 2016

The Invocation was given by Fr. Nick Pagano of Pax Christi Catholic Church.

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Upon motion by Mr. Stinnett, seconded by Ms. Mossotti, and approved by unanimous vote, the Minutes of the November 17, 2016 Council Meeting were approved.

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Mayor Gray invited Ms. Bledsoe to the podium, along with Mr. Coleman Marshall and Ms. Kerry Cayse, who are both teachers at Lexington Christian Academy (LCA). Ms. Bledsoe and Mr. Marshall described a project where the LCA students worked in teams to design flags to represent the City of Lexington.

Student representatives displayed their flag prototypes and described the symbolism and colors they used in their flags to exemplify the characteristics of the Lexington community.

The students also introduced a short video that they created to depict how they feel about living in Lexington.

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The following ordinances received second reading. Upon motion by Vice Mayor Kay, and seconded by Ms. Henson, the ordinances were approved by the following vote:

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

Nay: -----0

An Ordinance changing the zone from a Neighborhood Business (B-1) zone to an Agricultural Rural (A-R) zone, for 3.24 net (3.76 gross) acres, for property located at 5898 Old Richmond Rd. (Erfan M. Alami (Amd.); Council District 12.)

An Ordinance changing the zone from a Neighborhood Business (B-1) zone to a Wholesale and Warehouse Business (B-4) zone for 0.75 net and gross acres of

property, located at 1315 & 1353 West Main St. (portions of). (1321 W. Main, LLC; Council District 2.)

An Ordinance changing the zone from a Planned Neighborhood Residential (R-3) zone to a High Density Apartment (R-4) zone, for 0.48 net (0.58 gross) acre, for property located at 366 and 370 Glen Arvin Ave. (Lexington Home Ownership Comm II, Inc. (Amd.); Council District 2.)

An Ordinance changing the zone from a neighborhood business (B-1) zone to a High Density Apartment (R-4) zone for 2.56 net (3.0 gross) acres; and from a Professional Office (P-1) zone to a High Density Apartment (R-4) zone for 2.22 net (2.42 gross) acres for property located at 4268 Saron Drive. (Lexington Senior Housing 2, LLC; Council District 8).

An Ordinance amending Articles 19-2, 19-5, 19-7, 19-8, 19-10, 19-12, 19-13, and 19-16 of the Zoning Ordinance and Articles 1-14, 6-7, and 6-11 of the Land Subdivision Regulations to reflect revisions to the Stormwater Manual adopted by the Urban County Government.

An Ordinance changing the zone from an Agricultural Urban (A-U) zone to a Neighborhood Business (B-1) zone, for 5.79 net (7.88 gross) acres; Agricultural Urban (A-U) zone to Townhouse Residential (R-1T) zone, for 2.38 net and gross acres; Agricultural Urban (A-U) zone to a Single Family Residential (R-1D) zone, for 6.72 net and gross acres; Townhouse Residential (R-1T) zone to a Single Family Residential (R-1D) zone, for 1.49 net (1.88 gross) acres; Townhouse Residential (R-1T) zone with conditional zoning restrictions to a Townhouse Residential (R-1T) zone without conditional zoning restrictions, for 1.49 net (1.93 gross) acres; and Single Family Residential (R-1D) zone to a Townhouse Residential (R-1T) zone, for 0.26 net and gross acres, for property located at 4145 and 4235 Harrodsburg Rd. (Taylormade Real Estate, LLC (Amd.); Council District 10).

An Ordinance expanding and extending the Full Urban Services District #1 for the Urban County Government for the provision of street lighting, street cleaning, and garbage and refuse collection, to include the area defined as certain properties on the following streets: Autumn Ridge Dr., Bay Springs Park, Blackwell Pl., Cornelius Trace, Handsboro Park, Henderson Dr., Horsemint Trl., Jacob Ct., Kavenaugh Ln., Lauderdale

Dr., Lawson Ln., Magnolia Springs Dr., Marco Ln., Millstone Way, Patchen Lake Ln., Polo Club Blvd., Pompano Ln., Remington Way, Sir Barton Way, Sweet Clover Ln., Sweet Clover Park, Taborlake Cir., Taborlake Ct., Taborlake Cv., Taborlake Dr., Taborlake Pl., Taborlake Ridge, Taborlake Walk, Trailwood Ln., Tranquility Pt., and Wyndham Hills Dr.

An Ordinance expanding and extending Partial Urban Services District #5 for the Urban County Government for the provision of street lighting and garbage and refuse collection, to include the area defined as certain properties on the following streets: Hill N Dale Rd. and Fredericksburg Rd.

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. 27.

An Ordinance amending the authorized strength by creating one (1) Classified Civil Service position of Municipal Engineer Sr., Grade 525E, in the Div. of Engineering, effective upon passage of Council.

An Ordinance amending Chapter 16 of the Code of Ordinances to reflect adoption of the revised Stormwater Manual by creating Subsection 16-1(F)(70) of the Code to define engineering manuals for purposes of Chapter 16, Article X of the Code, amending Section 16-85 of the Code to adopt and incorporate the Stormwater Manual into the Code by reference, amending Subsections 16-101(C), 16-101(G), and 16-102(G) of the Code to provide that erosion and sediment control plans shall be prepared in accordance with the Stormwater Manual and engineering standard drawings, as revised, modified, or amended from time to time, amending Subsections 16-101(H), 16-102(I) and 16-103(B) to provide that a fifty foot vegetated buffer shall be maintained between land disturbance activities and the edge of any perennial or intermittent stream, wetland, sinkhole, or municipal storm sewer inlet, consistent with the revised Stormwater Manual, and amending Subsection 16-104(D)(2) of the Code to provide that stormwater pollution prevention plans shall be consistent with the Stormwater Manual and engineering standard drawings, as revised, modified, or amended from time to time.

An Ordinance amending the authorized strength by abolishing one (1) Unclassified Civil Service position of Program Administrator, Grade 524N, and creating one (1) Unclassified Civil Service position of Clinical Services Supervisor, Grade 524E, changing the position title and transferring the incumbent from a non-exempt to an exempt position, in the Div. of Community Corrections, effective on November 28, 2016.

An Ordinance amending the Classified Civil Service authorized strength by transferring one (1) position of Deputy CIO, Grade 533E, and one (1) position of Administrative Officer Sr., Grade 526E, from the Div. of Enterprise Solutions to the Dept. of Information Technology, transferring the incumbents, effective upon passage of Council.

An Ordinance amending the Code of Ordinances of the Lexington-Fayette Urban County Government to comply with the provisions of KRS 65.8801 to KRS 65.8839, and more specifically amending Subsection 12-1(a) of the Code to provide that the Property Maintenance Code is adopted pursuant to state law and is to be interpreted in accordance with Chapter 2B of the Code; amending Subsections 12-1(b) PM-106.4.1(b), PM-107.1, PM-111.2, and PM-302.8 to provide for references to the appropriate Sections of Chapter 2B of the Code, civil fines based upon citations ranging from \$100 to \$10,000 notices of violation, and assigned hearing officers; repealing Subsection 12-1(b) PM-107.2 of the Code; repealing Sections 12-2, 12-4, 12-5, 12-6, 12-8, 12-8.3, 12-14, 12-15, 12-16, 12-68, 12-69, and 12-70 of the Code; creating a new Section 12-2 of the Code defining nuisances and including junked vehicles rubbish, excessive weed or grass growth, ashes, debris, garbage, abandoned equipment or appliances, indoor furniture outdoors, and ice on sidewalks; renumbering Section 12-7 of the Code to Section 12-3 of the Code and amending to provide enforcement by the Commissioner of Planning, Preservation, and Development, notices of violation and citations, abatement, hearings, appeals, and liens; renumbering Section 12-8 of the Code to Section 12-4 of the Code and amending to authorize the Commissioner of Planning, Preservation, and Development to enforce Chapter 12 of the Code of Ordinances; renumbering Section 12-8.2 of the Code to 12-5 of the Code and amending to provide for civil fine based upon the number of citations ranging from \$100 to \$1,000; renumbering Section 12-13 of the Code to 12-6 of the Code and amending to provide

that the Code Enforcement Board is created pursuant to KRS 65.8801 to KRS 65.8839 and operates pursuant to Chapter 2B of the Code; amending Sections 12-60 and 12-62 of the Code to reference the correct section numbers; amending Sections 12-63 and 12-64 of the Code pertaining to public nuisances to provide for notices, abatement, citations, closures, hearings, appeals and liens pursuant to Chapter 2B of the Code and civil fines ranging from \$500 to \$5000; and amending Subsection 14-10(f)(4) of the Code to reference to the correct section numbers; all effective January 1, 2017.

An Ordinance amending the Code of Ordinances of the Lexington-Fayette Urban County Government to comply with the provisions of KRS 65.8801 et seq., and more specifically renumbering and amending the Sections of Chapter 2B of the Code to provide for the application of the Chapter to all administrative hearings related to the issuance of civil fines; definitions; limitations on board members; special or emergency meetings; administrative appeals to take place before hearing officers and establishing their eligibility, experience, and training; administrative enforcement proceedings, citations, waivers of appeals, and final orders; notification of hearings and notice of final orders, oaths, subpoenas, findings of fact, notification, appeals, and the designation of a secretary to the board; affidavit for liens; charges, fees, and abatement costs, the rights of the property owner as to other secured parties, the institution of legal proceedings and the creation and implementation of a notification system; amending Subsections 13-73.2(1), (2), (6), (7) and (8) of the Code to provide for the application of Chapter 2B of the Code, citations, maximum fines ranging from \$25 to \$300 based upon the number of violations within any calendar year, and the ability to take an Alarm User Awareness Class in order to avoid paying a fine; amending Section 13-73.3 of the Code to provide an appeal time for warning notices, orders of suspension or revocation, or citations; amending Subsections 13-73.4(2) and (3) of the Code to provide for assigned hearing officers; amending Subsection 16-34.1(c) of the Code to provide for abatement pursuant to Chapter 2B of the Code; amending Subsections 16-50(a) and (g) of the Code to provide for the application of Chapter 2B of the Code and the issuance of maximum civil fines ranging from \$400 to \$1,000 based upon the number of citations within any 12-month period; amending Subsection 16-76.1(c) of the Code to provide for the application of Chapter 2B of the Code and repealing Subsections 16-76.1(d), (e), and

(f); amending Section 16-77 of the Code to provide for assigned hearing officers and the application of Chapter 2B of the Code; amending Subsections 16-202(b) and (d) of the Code to provide for the application of Chapter 2B of the Code; amending Subsections 16-205(a), (b), and (d) of the Code to provide for the application of Chapter 2B of the Code and repealing Subsection 16-205(e); amending Subsections 16-206(c), (f) and (g) of the Code to reference Section 2B-9 of the Code, and repealing Subsections 16-206 (h) and (i); amending Subsection 17-4(d) of the Code to provide for the application of Chapter 2B of the Code; amending Section 17-4.1 of the Code to reference citations and Subsection 6-8(k) of the Land Subdivision Regulations of the Zoning Ordinance, and to provide for maximum civil fines ranging from \$100 to \$500 based upon the number of citations within any 12-month period and allowing for recovery of related costs and fees; amending Sections 17-4.2 and 17-4.3 of the Code to add assigned hearing officers; amending Section 17-4.8 of the Code to reference Section 2B-9 of the Code pertaining to liens; amending Subsection 17b-13(c) of the Code to provide for maximum civil fines ranging from \$200 to \$500 based upon the number of citations within any 12-month period; all effective on January 1, 2017.

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Mayor Gray departed the meeting and Vice Mayor Kay assumed the Chair.

Ms. Mossotti departed the meeting.

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An Ordinance closing a portion of Campbell Ln. determining that the property owners abutting the portion of the street to be closed have 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 owners, subject to the reservation of easements and restrictions received first reading.

Upon motion by Ms. Evans, seconded by Mr. Stinnett, and approved by majority vote (Ms. Mossotti was absent for the vote), the rules were suspended and the ordinance received second reading.

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

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

Nay: -----0
Absent for the vote: Mossotti

* * *

The following ordinances received first reading.

Upon motion by Mr. Stinnett, seconded by Ms. Henson, and approved by majority vote (Ms. Mossotti was absent for the vote), the rules were suspended and the ordinances received second reading.

Upon motion by Mr. Farmer, and seconded by Ms. Henson, the ordinances were approved by the following vote:

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

Nay: -----0
Absent for the vote: Mossotti

An Ordinance amending the authorized strength by abolishing one (1) Classified Civil Service position of Staff Assistant Sr., Grade 510N, and creating one (1) Classified Civil Service position of Accreditation Manager, Grade 521E, in the Div. of Police, effective upon passage of Council.

An Ordinance amending the Classified Civil Service authorized strength by abolishing one (1) position of Staff Assistant Sr., Grade 510N, and creating one (1) position of Administrative Specialist, Grade 513N, and reclassifying the incumbent in the Div. of Police, effective the beginning of the next pay period following passage of Council.

An Ordinance amending the Classified Civil Service authorized strength by abolishing one (1) position of Customer Service Manager, Grade 519E, and creating one (1) position of Call Center Director, Grade 526E, and reclassifying the incumbent in the Div. of Government Communications, effective the beginning of the next pay period following passage of Council.

An Ordinance amending the Classified Civil Service authorized strength by transferring one (1) vacant position of Recreation Supervisor, Grade 514E, effective upon passage of Council, and one (1) position of Recreation Specialist Sr., Grade 516E, transferring the incumbent, effective retroactive to July 1, 2015, from the Div. of Parks and Recreation to the Div. of Aging and Disability Services.

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The following ordinance received first reading and was ordered placed on file for public inspection until January 19, 2017:

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. 28.

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government and contingent upon the issuance of a Notice to Proceed from the Ky. Transportation Cabinet, to execute a multi-year Professional Services Agreement (awarded pursuant to RFQ No. 25-2016), with Gresham, Smith, and Partners, for the Town Branch Commons Corridor Design Services, at a cost estimated not to exceed \$929,283 in FY2017 received second reading.

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

Aye:	Plomin, Scutchfield, Akers, Bledsoe, F. Brown, J. Brown, Evans, Farmer, Gibbs, Henson, Kay, Lamb	-----12
Nay:	Stinnett, Moloney	-----2
Absent for the vote:	Mossotti	

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

Aye:	Plomin, Scutchfield, Stinnett, Akers, Bledsoe, F. Brown, J. Brown, Evans, Farmer, Gibbs, Henson, Kay, Lamb, Moloney	-----14
Nay:		-----0
Absent for the vote:	Mossotti	

A Resolution accepting the bid of E.C. Matthews Co. Inc., in the amount of \$328,030, for Retention Wall Repair at Kearny Hill Golf Links, for the Div. of Parks and Recreation, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with E.C. Matthews Co. Inc., related to the bid.

A Resolution accepting the bid of Roberts Heavy Duty Towing, Inc., establishing a price contract for Towing of LFUCG Owned Vehicles, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of EcoGro d/b/a Advanced Mulching Technologies, Inc., in the amount of \$957,009.62, for Coldstream Supplemental Environmental Project, for the Div. of Water Quality, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with EcoGro d/b/a Advanced Mulching Technologies, Inc.

A Resolution accepting the bid of Cumberland Pipeline, LLC, in the amount of \$552,780.16, for the Paradise Lane Pump Station and Force Main, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute an Agreement with Cumberland Pipeline, LLC, related to the bid.

A Resolution accepting the bid of Clarke Power Services, Inc., establishing a price contract for Synthetic Transmission Fluid, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bids of Bob Barker Co., Inc., ICS Jail Supplies, Inc., and Victory Supply, Inc., establishing price contracts for Inmate Uniforms, for the Div. of Community Corrections.

A Resolution accepting the bid of Free Contracting, Inc., in the amount of \$1,061,237.68, for the Lower Griffin Gate Trunk Sewer, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute an Agreement with Free Contracting, Inc., related to the bid.

A Resolution ratifying the Probationary Classified Civil Service Appointments of: Rodney Guy, Equipment Operator, Grade 510N, \$16.673 hourly, effective December 12, 2016 and James Nagle, Maintenance Supervisor, Grade 519E, \$2,097.60 biweekly, both in the Div. of Water Quality, and Jennifer Lynch, Security Officer, Grade 507N,

\$13.732 hourly in the Dept. of Public Safety, both effective December 5, 2016; ratifying the Permanent Civil Service Appointments of: Sam Schulte, Accountant, Grade 516N, \$19.741 hourly in the Div. of Accounting, and Jeffrey Neal, Director of Traffic Engineering, Grade 533E, \$4,060.40 biweekly in the Div. of Traffic Engineering, both effective November 16, 2016; ratifying the Unclassified Civil Service Appointments of: Jonathan Hollinger, Project Management Director, Grade 534E, \$3,903.08 biweekly in the Office of the Mayor, effective December 5, 2016, and Michael Turner, Treatment Plant Operator Apprentice II, Grade 512N, \$16.742 hourly in the Div. of Water Quality, effective December 12, 2016.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Lexington Housing Authority, providing for deposit/application fee assistance for veterans experiencing homelessness, at a cost not to exceed \$8,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the U.S. Dept. of Transportation, which Grant funds are in the amount of \$14,095,887 Federal funds, under the 2016 Transportation Investment Generating Economic Recovery (TIGER) Competitive Grant Program, are for the construction of sections (Zones 3, 4, 6, and 7) of the Town Branch Commons Project, the acceptance of which obligates the Urban County Government for the expenditure of \$3,523,972 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Dept. of Military Affairs, Div. of Emergency Management which Grant funds are in the amount of \$98,671.20 Federal funds, under the FY 2017 Emergency Management Assistance Project, are for the support of emergency preparedness in Fayette County, the acceptance of which obligates the Urban County Government for the expenditure of \$98,671.20 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. Five (5) with the Ky. Transportation Cabinet, for the acceptance of additional Federal funds for the Newtown

Pike Extension Project in the amount of \$1,054,450 and to approve the Fourth Amendment to Agreement with Lexington Community Land Trust, Inc. for additional Federal funds in the amount of \$988,200 for operating, mitigation, and housing construction costs.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement (awarded pursuant to RFP No. 29-2016) with Stantec Architecture, Inc., for the development and implementation of a Comprehensive Facilities Usage Plan for buildings and equipment primarily used by the Dept. of Environmental Quality and Public Works, at a cost not to exceed \$218,000.08.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) (Final) to the Contract with The Allen Co., for the Gainesway Trail Project, decreasing the contract price by the sum of \$40,025.73 from \$370,432.80 to \$330,407.07.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an amended Memorandum of Agreement with various affiliates, for a \$15.00 increased fee for processing recycled materials.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration, and any other documents necessary, and to accept a deed for the property located at 300 Quinton Ct., for construction of a wet weather storage facility, and authorizing payment in the amount of \$1,750,000, plus usual and appropriate closing costs.

Declaration of Official Intent with respect to Reimbursement of temporary advances made for capital expenditures to be made from subsequent borrowings, with respect to the Town Branch waterway.

A Resolution accepting the response of DesignWORKS to RFP No. 36-2016 Lexington Corridors Beautification Design Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with DesignWORKS to provide landscape architectural services related to the design of landscaping improvements for the North Broadway and Paris Pike Corridor and Richmond Rd. medians, at a cost estimated not to exceed \$44,750.

A Resolution accepting the response of MSK2, LLC d/b/a MKSK to RFP No. 36-2016 Lexington Corridors Beautification Design Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with MSK2, LLC d/b/a MKSK to provide landscape architectural services related to the design of landscaping improvements for the Winchester Rd. at New Circle Rd. interchange, at a cost estimated not to exceed \$23,670.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Contract with ASAP Systems, for the purchase of BarCloud Suite, an inventory management and tracking system, at a cost not to exceed \$2,899.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement (awarded pursuant to RFP No. 33-2016) with Bullhorn LLC d/b/a Bullhorn Creative, for the development of Safe Streets Marketing Materials and the promotion of motorist, cyclist, and pedestrian safety in Lexington-Fayette County, at a cost not to exceed \$40,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easement, releasing utility easements on the property located at 2585 Pascoli Pl.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Alta Planning + Design, for the purpose of developing the Lexington Area Bike and Pedestrian Master Plan Update, at a cost not to exceed \$220,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 16 to the Contract with Churchill McGee, LLC, for the Public Safety Operations Center Renovation - Phase 1B, increasing the contract price by the sum of \$26,972.44 from \$6,665,322.45 to \$6,692,294.89.

A Resolution amending Section 1 of Resolution No. 575-2016, which made conditional offers of employment, correcting the rate of pay for John Spotts, from the \$14.265 hourly to \$14.625 hourly, in the Div. of Facilities and Fleet Management, effective retroactive to September 15, 2016.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement with Brandstetter/Carroll, Inc., for

architectural and engineering services for the Shillito Park Pool Expansion Project at a cost not to exceed \$46,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Amendment No. Two (2) to the Agreement with the Ky. Transportation Cabinet, for the extension of the performance period through December 31, 2019, for design of Phases IV, V, and VI of the Town Branch Trail Project, under the Congestion Mitigation and Air Quality (CMAQ) Program, at no cost to the Urban County Government, to accept additional Federal funds, from the Ky. Transportation Cabinet, which funds are in the amount of \$616,000, under the Transportation Alternatives Program (TAP), are for the final design of Phase VI of Town Branch Trail Project, the acceptance of which obligates the Urban County Government for the expenditure of \$154,000 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Transportation Cabinet, which Grant funds are in the amount of \$36,000 Federal funds, are for the Design Phase of the Brighton Trail Pedestrian Bridge, under the Congestion Mitigation and Air Quality (CMAQ) Program, the acceptance of which obligates the Urban County Government for the expenditure of \$9,000 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Transportation Cabinet, which Grant funds are in the amount of \$72,000 Federal funds, are for the Design Phase of the Turn Lanes at Manchester and Forbes Rd., under the Congestion Mitigation and Air Quality (CMAQ) Program, the acceptance of which obligates the Urban County Government for the expenditure of \$18,000 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution directing that the payments to Blue Grass Community Foundation under the Memorandum of Agreement authorized by Resolution No. 657-2016 are to be made on a quarterly basis, and that the Foundation must provide satisfactory reporting and updates to the Lexington-Fayette Urban County Government on at least a quarterly

basis regarding how the funds have been spent and the progress of the fundraising for the Town Branch Commons Project.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute three (3) Agreements with the Fayette Fiscal Court (Fayette County Judge/Executive), relating to the expenditure of County Road Aid Fund Program monies for Fayette County in FY 2015, FY 2016, and FY 2017; and establishing a Budget for county road projects in the amount of \$2,587,934.53.

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Mr. Gibbs departed the meeting.

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The following resolutions received first reading.

Upon motion by Mr. Farmer, seconded by Ms. Plomin, and approved by majority vote (Ms. Mossotti and Mr. Gibbs were absent for the vote), the rules were suspended and the resolutions received second reading.

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

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

Nay: -----0
Absent for the vote: Mossotti, Gibbs

A Resolution accepting the bid of Omni Commercial, LLC, in the amount of \$228,000, for the New Restroom and Concession Building for Lansdowne Merrick Park, for the Div. of Parks and Recreation, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Omni Commercial, LLC, related to the bid.

A Resolution accepting the bid of Gases 101, LLC, in the amount of \$65,832, for Handheld Chemical Detectors, for the Divs. of Fire and Emergency Services and Emergency Management/911.

A Resolution accepting the bid of Hastings Air Energy Control, Inc., in the amount of \$322,999.92, for Emergency Response Vehicle Exhaust System Removal, for the Div. of Fire and Emergency Services, and authorizing the Mayor, on behalf of the

Urban County Government, to execute an Agreement with Hastings Air Energy Control, Inc., related to the bid.

A Resolution accepting the bid of C3 Mechanical, LLC, in the amount of \$21,125, for Roof Top Indirect Fired Gas Heating Unit and Installation, for the Div. of Water Quality.

A Resolution accepting the bid of Judy Construction Co., establishing a price contract for West Hickman Wastewater Treatment Plant Replacement Doors, for the Div. of Water Quality.

A Resolution ratifying the probationary Classified Civil Service Appointments of: Robert Volpenhein, GIS Analyst, Grade 516N, \$23.000 hourly in the Div. of Emergency Management/911, effective January 9, 2017; ratifying the Permanent Civil Service Appointments of: Charity Russell, Telecommunicator, Grade 514N, \$17.946 hourly in the Div. of Emergency Management/911, effective February 22, 2017, Christopher Toutant, Recreation Manager, Grade 518E, \$1,799.28 biweekly in the Div. of Parks and Recreation, effective December 13, 2016, and Walter Frazier, Vehicle and Equipment Technician, Grade 514N, \$18.655 hourly in the Div. of Facilities and Fleet Management, effective October 11, 2016; ratifying the Unclassified Civil Service Appointment of: Joseph Happy, Treatment Plant Operator Apprentice I, Grade 510N, \$16.999 hourly in the Div. of Water Quality, effective September 15, 2016, and ratifying the demotions of: Calvin Ball, Telecommunicator, Grade 514N, \$19.593 hourly in the Div. of Emergency Management/911, and James Clark, Equipment Operator Sr., Grade 512N, \$20.758 hourly in the Div. of Streets and Roads, both effective December 12, 2016.

A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Classified Civil Service Appointments: Cameron Noonan, Staff Assistant Sr., Grade 510N, \$14.500 hourly in the Div. of Accounting, effective January 9, 2017, Lisa Beckett, Administrative Specialist Sr., Grade 516N, \$23.220 hourly in the Div. of Human Resources, Jay Frames, Traffic Signal Technician Sr., Grade 515N, \$20.900 hourly in the Div. of Traffic Engineering, both effective January 3, 2017, and Edward Morris, Security Officer, Grade 507N, \$14.134 hourly in the Dept. of Public Safety, effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following Unclassified Civil Service

Appointment: John LaFollete, Treatment Plant Operator Apprentice, Grade 509N, \$13.752 hourly in the Div. of Water Quality, effective December 26, 2016; and authorizing the Div. of Human Resources to make a conditional offer to the following Unclassified Civil Service Appointment to the Urban County Council: Alicia Larmour, Aide to Council, Grade 518E, \$1,730.77 biweekly in the Office of the Urban County Council, effective January 2, 2017.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Contract with the Fayette County Board of Education for use of the Norsworthy Auditorium for Kiddie Kapers on December 10, 2016, at a cost not to exceed \$1,552.33.

A Resolution accepting the response of J. L. Carman and Associates d/b/a CARMAN to RFP No. 36-2016 Lexington Corridors Beautification Design Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with J. L. Carman and Associates d/b/a CARMAN to provide landscape architectural services related to the design of landscaping improvements for the Athens-Boonesboro at I-75 Interchange, at a cost estimated not to exceed \$20,225.

A Resolution authorizing the Div. of Police, on behalf of the Urban County Government, to purchase TASER equipment for current and future recruit classes, from TASER International, a sole source provider.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easement, releasing a flood plain easement on the property located at 2597 Palumbo Rd.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easement, releasing utility easements on the properties located at 1916 Justice Dr. and 1750 Pleasant Ridge Dr.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Rental Agreement with the Lexington Center Corp., for the 2017 MLK Day Celebration, at a cost not to exceed \$8,700.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute the 2017 General Term Orders for the Fayette County Clerk and the Fayette County Sheriff, establishing the number of deputies and assistants allowed to each and

their respective compensation, subject to the limits for each category as specified in the General Term Orders and the requirements established by law.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Contract with Metals Treatment Technologies, LLC, a sole source provider, for extraction of lead from the firing range berm, at a cost not to exceed \$42,250.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Lexington History Museum (\$1,650), Lexington Art League, Inc. (\$600), the Old Ladies Home dba Ashland Terrace (\$1,200), and Whistle Work, Inc. (\$250) for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, pursuant to the Jobs Fund Program, to execute an Incentive Agreement and related documents with James Pepper Distilling Co., LLC, in an amount not to exceed \$100,000, for the creation and retention of at least three (3) new jobs with an average hourly wage of at least \$31.50, exclusive of benefits.

A Resolution declaring a moratorium on demolition permits, building permits and the accepting, processing and issuance of conditional use permits, subdivision plans, and zoning map amendments on property located on Adair Rd., more specifically defined as the following properties: 400-448 (even numbered) Adair Rd. and 401-449 (odd numbered) Adair Rd., and to allow the Planning Commission and the Urban County Government time to consider a rezoning to these properties: setting the duration of the moratorium for a period of six months from the effective date of this Resolution or until the Council takes final action on the proposed rezoning, whichever occurs first.

A Resolution initiating for Planning Commission review and recommendation the re-zoning of property located at 400-448 (even numbered) Adair Rd. and 401-449 (odd numbered) Adair Rd. from a Single Family Residential (R-1C) zone to a Single Family Residential (R-1B) zone.

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Upon motion by Mr. F. Brown, and seconded by Ms. Scutchfield, the Communications from the Mayor were approved by majority vote (Ms. Mossotti and Mr. Gibbs were absent for the vote) and were as follows: Recommending the appointment of Mr. Donald Mason, as At-Large Representative, and the reappointments of Dr. Everett McCorvey, at At-Large Representative, and Mr. Scott Terrell, as Lexington Philharmonic Society Representative, to the Picnic with the Pops Commission, with terms to expire December 6, 2020.

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The following Communications from the Mayor were received for information only: (1) Classified Civil Service Temporary Appointment of Mark Feibes, Engineering Section Manager, Grade 527E, \$3,608.72 biweekly in the Div. of Engineering, effective January 2, 2017; (2) Resignation of Darnell Roberts, Public Service Worker Sr., Grade 509N, Div. of Water Quality, effective October 31, 2016; (3) Resignation of Liekiem Broyles, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective October 31, 2016; (4) Resignation of Judith Spurlock, Staff Assistant Sr., Grade 510N, Div. of Accounting, effective November 4, 2016; and, (5) Resignation of Jason MacDonald, Police Officer, Grade 311N, Div. of Police, effective November 7, 2016.

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Mr. J. Brown asked Deputy Chief Administrative Officer Glenn Brown to introduce the new Diversity and Inclusion Officer for the Lexington-Fayette Urban County Government (LFUCG.)

Mr. G. Brown introduced Mr. Arthur Lucas to the Council and talked about the qualities that made Mr. Lucas the best candidate for the position.

Mr. Lucas thanked the Council for its confidence in him and expressed his excitement at making progress in the future.

Mr. J. Brown spoke about how he enjoyed working with Ms. Akers.

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Mr. Stinnett thanked LFUCG employees for their work throughout the year.

He stated his regret that Ms. Akers will not return to the Council in 2017 and he appreciated working with her for her straightforward demeanor and her approach to working with other Council members. He wished her the best in the future.

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Ms. Scutchfield expressed that she has enjoyed working with Ms. Akers and has great respect for her ability to work with others even when they have differing opinions.

Ms. Scutchfield wished employees a happy holiday.

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Vice Mayor Kay echoed the fine comments about Ms. Akers and how he has appreciated her straight-talking nature.

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Ms. Akers thanked the Council for their comments and well-wishes. She expressed the personal satisfaction she has gained from serving her District and working with her Council colleagues.

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Upon motion by Ms. Akers, seconded by Ms. Bledsoe, and approved by majority vote, (Ms. Mossotti and Mr. Gibbs were absent for the vote) the meeting adjourned at 7:10 p.m.

Deputy Clerk of the Urban County Council