

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky March 21, 2019

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on March 21, 2019 at 6:00 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the council: Reynolds, Bledsoe, F. Brown, J. Brown, Ellinger, Evans, Farmer, Gibbs, Kay, Lamb, McCurn, Moloney, and Mossotti. Absent were Council Members Worley and Plomin.

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

Ordinances No. 10-2018 through 13-2018, inclusive, and Resolutions No. 93-2018 through 125-2018, inclusive, were reported as having been signed and published and ordered to record.

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The Invocation was given by Pastor Keith Sands of Parkway Baptist Church.

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Upon motion by Vice Mayor Kay, seconded by Ms. Mossotti, and approved by unanimous vote, the Minutes of the February 21 and the March 7, 2019 Council Meetings were approved.

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Mayor Gorton congratulated Lexington Christian Academy's Cheerleading Squad for bringing home to Lexington the Universal Cheerleading Association's National Championship, and invited Coach Brittany Bailey and Assistant Coach Molly Chaffin to join her at the podium. Mayor Gorton read a Proclamation declaring March 21, 2019 as Eagles National Champs Day in Lexington. Coach Bailey and Assistant Coach Chaffin thanked the Mayor and Council for this recognition, and credited the students and their families for their achievement. Ms. Mossotti congratulated the student athletes and wished them continued success.

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Mayor Gorton invited Chief Administrative Officer Sally Hamilton to join her at the podium, along with Acting Commissioner of Environmental Quality and Public Works and Director of Water Quality, Mr. Charlie Martin.

Mayor Gorton talked about her long professional relationship with Mr. Martin, both having started their career at the LFUCG in the same year. She praised Mr. Martin for his professionalism and dedication, and read a proclamation declaring March 21, 2019 as Charlie Martin Day in Lexington.

Ms. Hamilton spoke of her great appreciation for Mr. Martin's cheerful willingness to assume extra tasks.

Mr. Martin thanked the Mayor and Council for the recognition.

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

Aye: Reynolds, Bledsoe, F. Brown, J. Brown, -----13  
Ellinger, Evans, Farmer, Gibbs, Kay, Lamb,  
McCurn, Moloney, Mossotti

Nay: -----0

An Ordinance changing the zone from a Single Family Residential (R-1C) zone to a Townhouse Residential (R-1T) zone, for 0.885 net (1.021 gross) acres, for property located at 375 Pasadena Dr. (JLG Land Co.; Council District 10).

An Ordinance amending section 25-17(2)(j) of the Code of Ordinances, related to disclosures under the Ethics Act, to remove the obligation to provide the name and address of all boards, commissions, non-profit or charitable organizations in which an officer or an immediate family member of an officer has made a donation from the Statement of Financial Interests; effective upon passage of Council.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 19.

An Ordinance amending portions of Chapter 26 of the Lexington-Fayette Urban County Code of Ordinances related to Rural Land Management to: clarify the definition of "development right"; amend board membership to increase the number of board members from thirteen (13) to sixteen (16), including adding one (1) Councilmember to the board, and update the organizations that nominate members; prohibit a member of the board from submitting an application to sell a conservation easement while a member of the board and for one (1) year after serving on the board; and amend application procedures and appraisal procedures to delete reference to landowner obtaining an independent appraisal. (Urban County Council).

An Ordinance amending section 17c-3 of the Code of Ordinances to amend the definition of "Annual General Permit" and "Facilities" and include definitions for "Communications Facility", "Pole", "Small Wireless Facilities", "Support Structure", "Tower", "Town Branch Commons", "Wireless Facilities", and "Wireless Services"; amending section 17c-7(c) to include towers and support structures; amending section 17c-19(e) to include adherence to the development plan for Town Branch Commons and

aesthetic standards in the criteria for obtaining installation permits; creating section 17c-19.2 to provide said aesthetic standards; amending section 17c-20 to change the title and include towers and support structures; amending section 17c-21(1) to include towers and support structures; amending section 17c-22(b) to limit annual general permit fees for small wireless facilities; and creating section 17c-29 to include the standards for underground facilities, aboveground facilities, construction, and restoration in the Town Branch Commons.

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Upon motion by Vice Mayor Kay, seconded by Ms. Bledsoe, and approved by unanimous vote, the following ordinance was added to the docket, received first reading and was ordered placed on file for public inspection until April 11, 2019:

An Ordinance amending section 1 of Ordinance No. 81-2018, which established the schedule of meetings for the Lexington-Fayette Urban County Council for the calendar year 2019, to add a Committee of the Whole meeting on June 4 at 9:00 a.m.; and to change the time of the Budget, Finance and Economic Development Committee meeting on May 28 to 10:00 a.m.

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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. 21, was on the docket for first reading.

Mr. Farmer moved to amend the ordinance to reallocate funds for vehicles into the correct account code and provide funding for streets and roads equipment related to surfacing/manhole operation. The total additional amount being moved is \$149,715. A revised schedule including these changes will be attached to the ordinance. Mr. Ellinger seconded the motion and the motion was approved by unanimous vote.

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. 21, as amended, received first reading and was ordered placed on file for public inspection until April 11, 2019.

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The following ordinances received first reading and were ordered placed on file for public inspection until April 11, 2019:

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$282 for the Div. of Parks and Recreation from Neighborhood Development Funds for improvements to Douglass Park scoreboards, Schedule No. 22.

An Ordinance changing the zone from an Interchange Service Business (B-5P) zone to a Commercial Center (B-6P) zone, for 4.050 net (4.939 gross) acres, for property located at 1916 Justice Dr. and 1750 Pleasant Ridge Dr. (Justice Plaza, LLC (AMD); Council District 6).

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

Aye: Reynolds, Bledsoe, F. Brown, J. Brown, -----13  
Ellinger, Evans, Farmer, Gibbs, Kay, Lamb,  
McCurn, Moloney, Mossotti

Nay: -----0

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Consultant Services Agreement with EOP Architects for the Design Services of the Government Center Building Envelope Evaluation Services, at a cost not to exceed \$64,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the designation of Applicant's Agent Resolution designating Charles Lanter, Dir. of the Div. of Grants and Special Programs, as the Urban County Government's authorized agent for the purpose of obtaining certain Federal financial assistance under the Disaster Relief Act or the President's Disaster Relief Fund.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Consultant Services Agreement with EHI Consultants for the Design Services of the New Salt Barn Site Assessment and Feasibility Study, at a cost not to exceed \$28,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement with Dr. Ryan Stanton, for

service as Medical Director of Emergency Medical Services, at a cost not to exceed \$23,600 for FY 19 with a future FY impact of \$94,500.

A Resolution accepting the bid of Jani-King of Lexington, establishing a price contract for custodial services for Coroner's Office, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Jani-King of Lexington, establishing a price contract for custodial services for Wellness Center, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Riley Oil Co., establishing a price contract for Bulk Fuel, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Paul Miller Ford, Inc., in the amount of \$34,861, for a Ford F250, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Bluegrass Contracting Corporation, in the amount of \$2,210,140.50, for the Southland Drive Sidewalk Project, for the Div. of Engineering, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Bluegrass Contracting Corporation related to the bid.

A Resolution accepting the bid of Aramsco, Inc., in the amount of \$99,230.66, for a Powered Air-Purifying Respirator System, for the Div. of Emergency Management/911.

A Resolution accepting the bid of Omni Commercial, LLC, in the amount of \$179,000, for Renovation of Thompson Rd. Park, for the Div. of Grants and Special Programs, 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 ratifying the Probationary Classified Civil Service Appointments of: Joseph Happy, Treatment Plant Operator, Grade 515N, \$21.788 hourly in the Div. of Water Quality, effective March 25, 2019, Jon-Michael Coslow, Environmental Inspector, Grade 516N, \$19.737 hourly in the Div. of Water Quality, effective March 11, 2019 and Edward Mullins, Building Inspector, Grade 517N, \$23.054 hourly in the Div. of Building Inspection, effective March 25, 2019; ratifying the Permanent Classified Civil Service Appointments of: Johnny Stone, Trades Worker Sr., Grade 511N, \$16.105 hourly in the Div. of Streets and Roads, effective February 20, 2019, Clayton Helvey, Associate Traffic Engineer, Grade 520E, \$1,919.20 biweekly in the Div. of Traffic Engineering, effective

March 4, 2019, Michelle Deas, Staff Assistant, Grade 508N, \$14.918 hourly in the Div. of Police, effective February 20, 2019, Harold Baillie, Planner Sr., Grade 521N, \$25.190 hourly in the Div. of Planning, effective February 20, 2019 and Grace Coy, Planning Technician, Grade 514N, \$18.260 hourly in the Div. of Planning, effective February 27, 2019; ratifying the Probationary Sworn Appointment of: Christopher Sizemore, Police Sergeant, Grade 315N, \$31.772 hourly in the Div. of Police, effective March 18, 2019; and ratifying the Unclassified Civil Service pay increase to the Office of the Urban County Council: Christina Baker, Aide to Council, Grade 518E, from \$2,076.93 biweekly to \$2,307.69 biweekly, effective February 18, 2019.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Confidentiality Agreement with ADT security Services, for client protection.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Extension Deposit Agreement with Ky. American Water and all other documents necessary for the extension of a water main to serve the West Hickman 7 Pump Station, at a cost estimated not to exceed \$22,831.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with Hazen & Sawyer, P.S.C., for Investigation, Design, and Construction Inspection Services for the West Hickman Waste Water Treatment Plant Final Clarifiers #7 and #8 Structural Repair Project, increasing the Contract price by the sum of \$5,250, from \$179,835 to \$185,085.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Seedleaf, for diversion of organic materials from the landfill-bound waste stream, at a cost not to exceed \$20,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with Pentecost Mechanical Services, Inc., for the Phoenix Cooling Tower Contract, increasing the Contract price by the sum of \$14,216, from \$175,343 to \$189,559.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Access Agreement with Carter Creative, Inc., for filming of the Mounted Unit.

A Resolution authorizing the Div. of Police, on behalf of the Urban County Government, to accept Thoroughbred Aviation, Bell Helicopter Service, as a sole source provider, for service of the police helicopter.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Hensley, Elam and Associates, to host the backup WebEOC server/SQL data, for the Div. of Emergency Management, at a cost not to exceed \$9,172.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Four (4) to the Contract with Unique Security, for the jail security solution, for the Div. of Community Corrections, increasing the Contract price by the sum of \$122,214.90, from \$3,393,620.33 to \$3,515,835.23.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute supplemental Agreement No. 2 with the Ky. Transportation Cabinet, for the acceptance of additional Federal funds in the amount of \$49,600 for the Armstrong Mill Rd. Sidewalks Project Design Phase, the acceptance of which obligates the Urban County Government for the expenditure of \$12,400 as a local match.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. 1 to the Agreement with Integrated Engineering, PLLC, for design of the Armstrong Mill Sidewalk Project, increasing the Contract price by the sum of \$61,117, from \$120,999 to \$182,116.

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 \$1,891,060 Federal funds, are for the remaining phases of the Town Branch Commons Trail, under the Congestion Mitigation and Air Quality (CMAQ) Program, the acceptance of which obligates the Urban County Government for the expenditure of \$524,000 as a local match, to execute all necessary documents required for the acceptance of those 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 a Grant from the Ky. Transportation Cabinet, which Grant funds are in the amount of \$2,495,418 Federal funds, are for the remaining phases of the Town



Branch Commons Trail, under the Transportation Alternatives Program (TAP), the acceptance of which obligates the Urban County Government for the expenditure of \$516,855 as a local match, to execute an Agreement with Lextran, as a Grant partner, to execute all necessary documents required for the acceptance of those funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

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Upon motion by Ms. Mossotti, seconded by Vice Mayor Kay, and approved by unanimous vote, the following resolution was added to the docket and received first reading:

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Commonwealth of Ky., Office of Highway Safety, which Grant funds are in the amount of \$30,000 Federal funds, are for Police Traffic Services Enforcement – FY 2019, 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.

Upon motion by Ms. Mossotti, seconded by Vice Mayor Kay, and approved by majority vote (Mr. F. Brown voted No), the rules were suspended and the resolution received second reading.

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

Aye: Reynolds, Bledsoe, F. Brown, J. Brown, -----13  
Ellinger, Evans, Farmer, Gibbs, Kay, Lamb,  
McCurn, Moloney, Mossotti

Nay: -----0

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Four (4) to the Contract with Lagco, Inc., for the construction of the Meadows/Northland/Arlington Public Improvements Project, Phases 5E & 5F, increasing the Contract price by the sum of \$56,906.78 from \$2,451,178.90 to \$2,508,085.68, received first reading.

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

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

Aye: Reynolds, Bledsoe, F. Brown, J. Brown, -----13  
Ellinger, Evans, Farmer, Gibbs, Kay, Lamb,  
McCurn, Moloney, Mossotti

Nay: -----0

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A Resolution authorizing the Div. of Environmental Services, on behalf of the Urban County Government, to purchase television and digital media advertising for stormwater and water quality education, from WLEX Communications, LLC, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with WLEX Communications, LLC, related to the procurement, at a cost not to exceed \$24,825, received first reading.

Upon motion by Ms. Mossotti, seconded by Mr. Ellinger, and approved by unanimous vote, the rules were suspended and the resolution received second reading.

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

Aye: Reynolds, Bledsoe, F. Brown, J. Brown, -----13  
Ellinger, Evans, Farmer, Gibbs, Kay, Lamb,  
McCurn, Moloney, Mossotti

Nay: -----0

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A Resolution authorizing the Div. of Environmental Services, on behalf of the Urban County Government, to purchase television and digital media advertising for stormwater and water quality education, from WKYT-TV, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with WKYT-TV, related to the procurement, at a cost not to exceed \$25,000, received first reading.

Upon motion by Ms. Mossotti, seconded by Vice Mayor Kay, and approved by majority vote (Mr. Farmer voted No), the rules were suspended and the resolution received second reading.

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

Aye: Reynolds, Bledsoe, F. Brown, J. Brown, -----13  
Ellinger, Evans, Farmer, Gibbs, Kay, Lamb,  
McCurn, Moloney, Mossotti

Nay: -----0

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A Resolution authorizing the Div. of Environmental Services, on behalf of the Urban County Government, to purchase radio advertising for stormwater and water quality education, from LM Communications, Inc., a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with LM Communications, Inc., related to the procurement, at a cost not to exceed \$19,550, received first reading.

Upon motion by Ms. Mossotti, seconded by Vice Mayor Kay, and approved by majority vote (Mr. Farmer voted No), the rules were suspended and the resolution received second reading.

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

Aye: Reynolds, Bledsoe, F. Brown, J. Brown, -----13  
Ellinger, Evans, Farmer, Gibbs, Kay, Lamb,  
McCurn, Moloney, Mossotti

Nay: -----0

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 3 to the Agreement with Brandstetter Carroll, Inc. for Fire Station #24 Design Project, reducing the Contract price by the sum of \$45,000, from \$405,961 to \$360,961, received first reading.

Upon motion by Ms. Lamb, seconded by Ms. Bledsoe, and approved by unanimous vote, the rules were suspended and the resolution received second reading.

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

Aye: Reynolds, Bledsoe, F. Brown, J. Brown, -----13  
Ellinger, Evans, Farmer, Gibbs, Kay, Lamb,  
McCurn, Moloney, Mossotti

Nay: -----0

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with Blue Sky Electric for the Black & Williams Three Phase Power Upgrade Project, increasing the Contract price by the sum of \$3,306.25, from \$33,900.00 to \$37,206.25, received first reading.

Upon motion by Ms. Lamb, seconded by Ms. Bledsoe, and approved by unanimous vote, the rules were suspended and the resolution received second reading.

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

Aye: Reynolds, Bledsoe, F. Brown, J. Brown, -----13  
Ellinger, Evans, Farmer, Gibbs, Kay, Lamb,  
McCurn, Moloney, Mossotti

Nay: -----0

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A Resolution accepting the response of Environmental Enterprises, Inc. to RFP No. 4-2019, Household Hazardous Waste Collection Event Spring 2019, establishing a price contract with an amount not to exceed \$81,241, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute any additional necessary Agreements with the vendor related to the RFP, received first reading.

Upon motion by Mr. Gibbs, seconded by Mr. Farmer, and approved by unanimous vote, the rules were suspended and the resolution received second reading.

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

Aye: Reynolds, Bledsoe, F. Brown, J. Brown, -----13  
Ellinger, Evans, Farmer, Gibbs, Kay, Lamb,  
McCurn, Moloney, Mossotti

Nay: -----0

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A Resolution accepting the bid of Connhurst, LLC, in the amount of \$969,985.97, for the Meadows Northland Arlington Neighborhood Improvements Phase 6A1, for the Div. of Grants and Special Programs, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Connhurst, LLC, related to the bid, received first reading.

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

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

Aye: Reynolds, Bledsoe, F. Brown, J. Brown, -----13  
Ellinger, Evans, Farmer, Gibbs, Kay, Lamb,  
McCurn, Moloney, Mossotti

Nay: -----0

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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: Ashley Isom, Clerical Assistant Sr., Grade 507N, \$14.069 hourly in the Div. of Accounting, effective April 1, 2019, Ross Strong, Equipment Operator Sr., Grade 512N, \$16.711 hourly in the Div. of Water Quality, effective April 15, 2019, Joseph Wright, Resource Recovery Operator, Grade 513N, \$18.498 hourly in the Div. of Waste Management, effective upon passage of Council, Ernest Beatty, Resource Recovery Operator, Grade 513N, \$17.319 hourly in the Div. of Waste Management, effective upon passage of Council, Victoria Smith, Telecommunicator Sr., Grade 517N, \$21.985 hourly in the Div. of Emergency Management/911, effective April 15, 2019, David Givens, Fleet Operations Supervisor, Grade 519N, \$25.514 hourly in the Div. of Facilities and Fleet Management, effective upon passage of Council, and Gregory Klunk, Heavy Equipment Technician, Grade 516N, \$22.040 hourly in the Div. of Facilities and Fleet Management, effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following probationary Community Corrections Officer appointments: Tim Kelly, Jacob Amas, Brian Taylor, Scott Willis, Ashley Graves, Kris Hughes, Timothy Collins, and Bret Brady, all Community Corrections Officer Recruit, Grade 110N, \$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 appointment: Nancy Albright, Commissioner of Environmental Quality and Public Works, Grade 536E, \$5,076.92 biweekly in the Dept. of Environmental Quality and Public Works, effective April 1, 2019, received first reading.

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

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

Aye: Reynolds, Bledsoe, F. Brown, J. Brown, -----13  
Ellinger, Evans, Farmer, Gibbs, Kay, Lamb,  
McCurn, Moloney, Mossotti

Nay: -----0

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 (One) to the Contract with Tyler Technologies, for CAD/RMS Project, decreasing the Contract price by the sum of \$6,087.50 from \$1,527,150.00 to \$1,521,062.50, received first reading.

Upon motion by Ms. Mossotti, seconded by Vice Mayor Kay, and approved by majority vote (Mr. Farmer abstained), the rules were suspended and the resolution received second reading.

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

Aye: Reynolds, Bledsoe, F. Brown, J. Brown, -----13  
Ellinger, Evans, Farmer, Gibbs, Kay, Lamb,  
McCurn, Moloney, Mossotti

Nay: -----0

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with SB Electric, Inc. for the Lighting Upgrade for Material Recovery Facility, increasing the Contract price by the sum of \$3,380, from \$36,500 to \$39,880, received first reading.

Upon motion by Ms. Lamb, seconded by Ms. Bledsoe, and approved by unanimous vote, the rules were suspended and the resolution received second reading.

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

Aye: Reynolds, Bledsoe, F. Brown, J. Brown, -----13  
Ellinger, Evans, Farmer, Gibbs, Kay, Lamb,  
McCurn, Moloney, Mossotti

Nay: -----0

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Certified Local Government National Register Nomination Report Form, to the Ky. Heritage Council, State Historic Preservation Office, nominating the Historic Trail's End Camp, located at 8030 Elk Lick Falls Rd., to be placed on the National Register of Historic Places, at no cost to the Urban County Government, received first reading.

Upon motion by Ms. Mossotti, seconded by Vice Mayor Kay, and approved by unanimous vote, the rules were suspended and the resolution received second reading.

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

Aye: Reynolds, Bledsoe, F. Brown, J. Brown, -----13  
Ellinger, Evans, Farmer, Gibbs, Kay, Lamb,  
McCurn, Moloney, Mossotti

Nay: -----0

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The following resolutions received first reading and were ordered placed on file for public inspection until April 11, 2019:

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Ky. Utilities for utility relocation for the Brighton Trail Pedestrian Bridge Project, at a cost not to exceed \$208,090.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a consultant services Agreement with JRA Architects for architectural and engineering services for the design of a new restroom building in Woodland Park, at a cost not to exceed \$19,600.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Amendment No. Three (3) to the Agreement with Bluegrass Area

Development District, increasing Federal funding in the amount of \$2,450.68, for operation of the Lexington Senior Center for FY 2019.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Statewide Emergency Management Mutual Aid and Assistance Agreement with each local entity in the Commonwealth of Ky., for provision of mutual aid and assistance in the event of an emergency, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with Arrow Electric Co., Inc., for the Fiber Optic Cable Installation Program, increasing the Contract price by the sum of \$6,847 from \$320,662 to \$327,509.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement of Affiliation with Bluegrass Crime Stoppers, Inc., for funding by court costs.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute the Fourth Renewal of the Engineering Services Agreement with Tetra Tech, Inc., to provide annual Program Management Services for Consent Decree Implementation and MS4 Permit Compliance, at a cost not to exceed \$816,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with William Wells Brown Neighborhood Association, Inc. (\$900), DV8 Kitchen Vocational Training Foundation, Inc. (\$1,550), and Bluegrass Community Foundation, Inc. (\$2,550), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution accepting the bid of Seagrave Fire Apparatus, LLC, in the amount of \$1,430,857, for Mid Mount Tower Apparatus, for the Div. of Fire and Emergency Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Seagrave Fire Apparatus, LLC, related to the bid.

A Resolution accepting the bid of Thermal Equipment Service, in the amount of \$19,078.91, for HVAC Rooftop Unit for Town Branch WWTP Administration Building, for the Div. of Water Quality.

A Resolution accepting the bid of Tribute Contracting & Consultants, LLC, in the amount of \$6,253,085, for the Wolf Run Trunk B & C, for the Div. of Water Quality, and



authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute an Agreement with Tribute Contracting & Consultants, LLC, related to the bid.

A Resolution accepting the bid of C3 Mechanical, LLC, in the amount of \$77,210, for Replacement of Hydronic Fan Coil Units at Bell House, for the Div. of Parks and Recreation, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with C3 Mechanical, LLC, related to the bid.

A Resolution accepting the bid of SAK Construction, LLC, in the amount of \$1,376,825, for Large Diameter Cure-In Place Pipe, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute an Agreement with SAK Construction, LLC, related to the bid.

A Resolution ratifying the Probationary Classified Civil Service Appointments of: David Wilson, Heavy Equipment Technician, Grade 516N, \$22.759 hourly in the Div. of Facilities and Fleet Management, effective April 15, 2019, Judith Cox, Telecommunicator Supervisor, Grade 520E, \$1,933.76 biweekly in the Div. of Emergency Management/911, effective April 15, 2019, and Brian Estes, Permit Clerk, Grade 512N, \$18.091 hourly in the Div. of Police, effective April 1, 2019; ratifying the Permanent Classified Civil Service Appointments of: Michael Jordan, Public Service Supervisor, Grade 514N, \$24.130 hourly in the Div. of Streets and Roads, effective March 10, 2019, Ronald Hinton, Equipment Operator Sr., Grade 512N, \$16.247 hourly in the Div. of Streets and Roads, effective March 17, 2019, Artiben Patel, Police Analyst, Grade 514N, \$17.902 hourly in the Div. of Police, effective November 28, 2018, Amer Omer Bashadi, Public Service Worker, Grade 507N, \$13.338 hourly in the Div. of Parks and Recreation, effective March 3, 2019, Pamela Proctor, Public Service Worker, Grade 507N, \$13.179 hourly in the Div. of Parks and Recreation, effective March 3, 2019, and Nathan Robinson, Public Service Worker, Grade 507N, \$13.624 hourly in the Div. of Parks and Recreation, effective March 3, 2019.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a First Amendment to Master Service Agreement with Securus Technologies, Inc, for inmate tablet program upgrade, for the Div. of Community Corrections, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute certificates of consideration and other necessary documents, and to accept

deeds for property interests needed for the Dartmouth Drive Stormwater Culvert Replacement Project, at a cost not to exceed \$1,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from Citizens Police Academy Alumni Association, of various items, 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 a Renewal Contract with Ambulance Medical Billing, for provision of equipment for billing.

A Resolution establishing Excellence, Inc., as a sole source provider for remounting Excellence Emergency Care Units, for the Div. of Fire and Emergency Services and authorizing the Mayor or designee, on behalf of the Urban County Government, to execute any necessary Agreements with Excellence, Inc., related to the procurement of these goods and services, at a cost not to exceed \$200,000.

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

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easement, releasing a portion of a sanitary sewer easement on the property located at 1221 South Broadway.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with C3 Mechanical, LLC, for the West Hickman Waste Water Treatment Plant Solids Processing Building Boiler Replacement Project, increasing the Contract price by the sum of \$9,800, from \$222,888 to \$232,688.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amended Agreement with VeBridge to add an agenda packet storage and search mechanism to the OnBase service Agreement, at a cost not to exceed \$5,075.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Big Brothers/Big Sisters of the Bluegrass (\$1,050), One World Films, Inc. (\$1,350), Northside Neighborhood Association, Inc. (\$400), Paul Laurence Dunbar Softball Club (\$575), Legacy Equine Academy, Inc. (\$675), Alpha

League, Inc. (\$250), and Cottages of Liberty Woods (\$500), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

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Upon motion by Vice Mayor Kay, and seconded by Mr. Ellinger, the Communications from the Mayor were approved by unanimous vote and were as follows: (1) Recommending the appointment of Council Member Richard Moloney as the Mayor's Designee to the Airport Board, with term expiring December 31, 2022; (2) Recommending the appointments of Ms. Sharonda Steele, Mr. Ben Turpin, and Ms. Nieta Wiggington as Area Resident members to the Black and Williams Neighborhood Community Center Board, with terms expiring March 21, 2023, March 21, 2023, and January 1, 2023, respectively; (3) Recommending the appointments to the Commission for People with Disabilities of Ms. Rachel Baker as Employment/Education Advocacy Representative, with term expiring March 21, 2023, and Mr. Eric Hobson as Commissioner of Public Safety Designee, filling an unexpired term, with term expiring December 31, 2022; (4) Recommending the appointment of Mr. Andrew Daugherty as Commissioner of Public Safety Designee to the Commission on Veterans' Affairs, filling an unexpired term, with term expiring on April 26, 2020; (5) Recommending the appointment of Ms. April Ballentine to the Domestic Violence Prevention and Intervention Board, with term expiring March 21, 2023; (6) Recommending the appointment of Council Member James Brown to the Emergency Medical Advisory Board, with term expiring March 21, 2023; (7) Recommending the appointment, ex officio, of Mr. Ian Young as NRCS Representative to the Rural Land Management Board, with term expiring on March 21, 2023; (8) Recommending the appointment of Council Member Chuck Ellinger to the Senior Services Commission, filling an unexpired term, with term expiring February 9, 2021; (9) Recommending the appointment of Mr. Emmanuel Smith to the Social Services Advisory Board, with term expiring March 21, 2023; and, (10) Recommending the appointments to the Tree Board of Mr. Doug Burton, as Director of Engineering, Council Member Jake Gibbs, Mr. Joe Howell, as Director of Parks and Recreation Designee, and Ms. Susan Plueger, as Commissioner of Public Works Designee, all with terms expiring December 31, 2022.

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The following Communications from the Mayor were received for information only:  
(1) Classified Civil Service Lateral Position Change of Jeffrey Nalley, Engineering Technician, Sr., Grade 516N, \$20.477 hourly in the Div. of Water Quality, effective March 25, 2019.

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Commander Doug Pape, Div. of Police, presented a disciplinary recommendation regarding Officer Nathan Barks. It is alleged that Officer Barks has committed the offense of: Violating Any Rules of the Department and Unsatisfactory Performance in violation of KRS 95.450 and General Order 1973-02J Disciplinary Procedures, Appendix B, Operational Rule 1.35 Violating Any Rules of the Department, specifically: General Order 2011-08C Emergency and Pursuit Driving and General Order 2015-15A Body Worn Camera; and General Order 1973-02J Disciplinary Procedures, Appendix B, Operational Rule 1.11 Unsatisfactory Performance in that on the various days of May and June 2018 he allegedly:

On June 27, 2018 Officer Nathan Barks got out with a suspicious vehicle at 551 Pemberton St. During the course of his investigation, the vehicle fled from the scene. Officer Barks engaged in a pursuit of the vehicle and doing so, he violated several policies outlined in General Order 2011-08C Emergency and Pursuit Driving. Additionally, Officer Barks deactivated his Body-Worn Camera (BWC) prior to the termination of his pursuit. In doing so, he violated several policies outlined in General Order 2015-05A Body-Worn Cameras. Officer Barks has two separate documented incidents within 12 months of BWC policy violations.

Late in the evening of May 30, 2018 into the early morning of May 31, 2018, Officer Nathan Barks engaged in a vehicle pursuit involving multiple ATVs. During the course of the pursuit, Officer Barks violated numerous sections of General Order 2011-8D Emergency and Pursuit Driving and intentionally failed to activate his Body-Worn Camera (BWC) thus violating numerous sections of General Order 2015-15A Body-Worn Cameras. This is the second time Officer Barks will be formally charged regarding violations of General Order 2011-08D Emergency and Pursuit

Driving. In addition, this is the second time Officer Barks will be charged with Unsatisfactory Performance for violations of General Order 2015-15A Body-Worn Camera in addition to a charge specific to BWC activation issues. All related charges have occurred within the past year.

The appropriate punishment for this conduct is three (3) month suspension without pay, retraining on Ethics, and upon return to duty, a six-month suspension of Home Fleet – for all violations.

Upon motion by Mr. Farmer, and seconded by Ms. Bledsoe, the disciplinary recommendation was approved by unanimous vote.

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Mr. Moloney expressed his sorrow at the passing of Mr. Richard Curtis, a former employee of the LFUCG, and a good friend.

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Ms. Reynolds announced a number of events taking place in her district in the coming week: On Monday, March 25, 2019, the Greater Gardenside Association meeting will take place at Gardenside Christian Church at 6:30 p.m.; on Tuesday, at SCAPA at Bluegrass at 6:30 p.m. will be the Picadome Neighborhood Meeting; on Wednesday there will be a number of On the Table events at Lexington Diner (9:30 a.m.), Global Lex (11:30 a.m.), Family Care Center (11:30 a.m.), Village Branch Library (12:00 p.m.), St. Rafael Episcopal Church (12:45 p.m.), Good Foods Co-op (6:00 p.m.), and a bi-lingual English-Spanish event at El Gran Tako (6:30 p.m.); and, on Thursday, from 6:00 p.m. – 8:00 p.m., a Focus Night event hosted by Partners for Youth will be at Cardinal Valley Elementary.

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Mr. Farmer spoke about Mr. Curtis's passing and talked of his great regard for the many fine qualities Mr. Curtis possessed.

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Mayor Gorton spoke about Mr. Curtis's career in the U.S. Army, and at the LFUCG. She expressed her admiration for his life and accomplishments, noting that he was instrumental in crafting the Bluegrass Armed Forces Community Covenant, which serves military members and their families throughout the Bluegrass.

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Ms. Carroll Montague Price, Red Mile Rd., spoke about the importance of affordable housing for those in the community who are suffering from mental illness.

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Mr. J.R. Williamson, Long View Dr., Georgetown, spoke about the landfill contract and the management of the landfill facilities in Georgetown.

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Ms. Beth Emery, Davis Rd., Sadieville, talked about the Central Kentucky landfill and the LFUCG contract with Waste Services of the Bluegrass, and spoke of alleged irregularities in the landfill operations.

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Upon motion by Mr. Farmer, seconded by Ms. Bledsoe, and approved by unanimous vote, the meeting adjourned at 7:07 p.m.

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Deputy Clerk of the Urban County Council