

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky May 28, 2020

*Due to the COVID-19 pandemic, state of emergency and Governor Beshear's Executive Orders regarding social distancing, this meeting of the Urban County Council is being held via video-teleconference pursuant to Senate Bill 150 (as signed by the Governor on March 30, 2020) and Attorney General Opinion 20-05, and in accordance with KRS 61.826, because it is not feasible to offer a primary physical location for the meeting.*

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on May 28, 2020 at 6:00 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the council: Kay, Lamb, McCurn, Moloney, Mossotti, Reynolds, Swanson, Bledsoe, F. Brown, J. Brown, Ellinger, Evans, Farmer. Absent were Council Members Plomin, and Worley.

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

Ordinance No. 42-2020 was reported as having been signed and published and ordered to record.

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The Invocation was given by Councilmember Josh McCurn.

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Ms. Plomin joined the meeting at 6:03 p.m.

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Upon motion by Mr. Farmer, seconded by Mr. McCurn, and approved by unanimous vote, the Minutes of the May 7, 2020 Special Council Meeting were approved.

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Mr. Worley joined the meeting at 6:06 p.m.

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

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

Nay: -----0

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$5,000 to provide funds for Council Projects in the Div. of Traffic Engineering for the purchase and installation of speed tables for Glendover Rd. and appropriating and re-appropriating funds, Schedule No. 45.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$44,873 to provide funds for Council Projects in the Div. of Streets and Roads for paving projects in the Sixth Council District and appropriating and re-appropriating funds, Schedule No. 46.

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. 47.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$5,000 to provide funds for Council Projects in the Div. of Parks and Recreation to assist with plantings in Veterans Park at Rockbridge for flooding control and appropriating and re-appropriating funds, Schedule No. 50.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$18,000 to provide funds for Council Projects in the Div. of Traffic Engineering to assist with installation of four speed tables on Forest Lake Drive and appropriating and re-appropriating funds, Schedule No. 49.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$22,613 to provide funds for Council Projects in the Div. of Traffic Engineering to fund expenses

related to pedestrian and traffic safety issues in the Third District and appropriating and re-appropriating funds, Schedule No. 48.

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The following ordinances received first reading and were ordered to be placed on file for public inspection until June 11, 2020:

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. 51.

An Ordinance creating Section 3-29 of the Code of Ordinances related to commercial quadricycles to define commercial quadricycles; an Ordinance creating Section 3-29(2)(1) of the Code of Ordinances related to commercial quadricycles that a permit is required to operate a commercial quadricycle; creating Section 3-29(2)(a) to require a written application for a permit; creating Section 3-29(2)(1)(b) to require general liability insurance to operate a commercial quadricycle; creating Section 3-29(2)(1)(c) to require that every commercial quadricycle have a safety inspection; creating Section 3-29(2)(1)(d) of the Code of Ordinances related to commercial quadricycles to require submission of a proposed travel route; creating Section 3-29(2)(1)(e) of the Code of Ordinances related to commercial quadricycles to require an annual permit fee of \$250.00; creating Section 3-29(2)(1)(f) of the Code of Ordinances related to commercial quadricycles to allow for submission of any other documents as the Div. of Alcoholic Beverage Control may require; creating Section 3-29(2)(2) of the Code of Ordinances related to commercial quadricycles to provide for denial, suspension or revocation of the permit; creating Section 3-29(2)(2)(a) to provide for denial, suspension or revocation of a permit if the applicant fails to comply with one or more provisions of the chapter; creating Section 3-29(2)(2)(b) to provide for denial, suspension or revocation of a permit for fraud or misrepresentation in securing the permit; creating Section 3-29(2)(c) of the Code of Ordinances related to commercial quadricycles to provide for denial, suspension or revocation of a permit for fraud, or misrepresentation on the application; creating Section 3-29(2)(2)(d) of the Code of Ordinances related to commercial quadricycles to provide for denial, suspension or revocation if the permit is altered, defaced or counterfeited; creating Section 3-29(2)(2)(e) of the Code of Ordinances related to commercial quadricycles to

provide for denial, suspension or revocation of the permit for failure to comply with state, local or federal law; creating Section 3-29(2)(2)(f) of the Code of Ordinances related to commercial quadricycles to provide for denial, suspension or revocation of the permit to provide for an appeal of denial, suspension or revocation of the permit within 7 days to the Commissioner of Public Safety; creating Section 3-29(3)(1) of the Code of Ordinances related to commercial quadricycles to require businesses submit their proposed travel route to the Alcoholic Beverage Control Administrator; creating Section 3-29(3)(1)(a) of the Code of Ordinances related to commercial quadricycles to provide for the proposed travel route to include the starting and ending points; creating Section 3-29(3)(1)(b) of the Code of Ordinances related to commercial quadricycles to provide that the travel route must include drop off points; creating Section 3-29(3)(1)(c) of the Code of Ordinances related to commercial quadricycles to provide for the proposed travel route and include the duration of the trip; creating Section 3-29(3)(1)(d) of the Code of Ordinances to provide for the proposed travel routes and including the expected travel times; creating Section 3-29(3)(1)(e) of the Code of Ordinances relating to commercial quadricycles to provide for the proposed travel routes shall include the days of the week the quadricycle would be traveling this route; creating Section 3-29(3)(2) related to commercial quadricycles outlining the approved area for travel routes; creating Section 3-29(3)(3) of the Code of Ordinances related to commercial quadricycles to provide for factors for approval or denial of the proposed travel routes; creating Section 3-29(3)(3)(a) of the Code of Ordinances related to commercial quadricycles to provide for the other travel routes for approval; creating Section 3-29(3)(3)(b) of the Code of Ordinances related to commercial quadricycles to provide for a factor of termination or the safety concerns regarding operating on highways and streets; creating Section 3-29(3)(3)(c) of the Code of Ordinances related to commercial quadricycles to provide for the density of vehicular and pedestrian traffic may factor in the determining the travel route; creating Section 3-29(3)(3)(d) of the Code of Ordinances related to commercial quadricycles to provide for any other information relevant to the approval process; creating Section 3-29(3)(4) of the Code of Ordinances related to commercial quadricycles to provide that the div. of alcoholic beverage control may place additional conditions and limitations on the approved travel route; creating Section 3-29(3)(5) of the Code of Ordinances related to

commercial quadricycles to provide for an appeal of any denied travel route within seven (7) days to the Commissioner of Public Safety; creating Section 3-29(3)(4)(1) of the Code of Ordinances related to commercial quadricycles to provide for an annual safety inspection; creating Section 3-29(4)(1)(a) of the Code of Ordinances related to commercial quadricycles to provide for a slow moving emblem on the quadricycle; creating Section 3-29(4)(1)(b) of the Code of Ordinances related to commercial quadricycles to provide for a back or a seat belt for each passenger seat on the quadricycle; creating Section 3-29(4)(1)(c) of the Code of Ordinances related to commercial quadricycles to provide for a minimum of four hydraulic operated brakes; creating Section 3-29(4)(1)(d) of the Code of Ordinances related to commercial quadricycles to provide for a rear view mirror; creating Section 3-29(4)(1)(e) of the Code of Ordinances related to commercial quadricycles to provide for headlights and taillights; creating Section 3-29(4)(1)(f) of the Code of Ordinances related to commercial quadricycles to provide for brake lights; creating Section 3-29(4)(1)(g) of the Code of Ordinances related to commercial quadricycles to provide for turn signals; creating Section 3-29(4)(1)(h) of the Code of Ordinances related to commercial quadricycles to provide for a trash receptacle; creating Section 3-29(4)(1)(i) of the Code of Ordinances related to commercial quadricycles to provide for all equipment to comply with applicable federal and state law; creating Section 3-29(4)(2) of the Code of Ordinances related to commercial quadricycles to provide for the Authorized Public Consumption License be affixed to the commercial quadricycle; creating Section 3-29(5) of the Code of Ordinances related to commercial quadricycles to provide for the hours of operation; creating Section 3-29(6)(1) of the Code of Ordinances related to commercial quadricycles to provide for forty-eight ounces (48) of malt beverages for consumption on commercial quadricycles; creating Section 3-29(6)(2) of the Code of Ordinances related to commercial quadricycles to provide for filling of an application for Alcoholic Public Consumption License; creating Section 3-29(7)(a) of the Code of Ordinances related to commercial quadricycles to provide that quadricycles operate in conformity with to the local and state traffic laws; creating Section 3-29(7)(b) of the Code of Ordinances related to commercial quadricycles to provide for a that operator shall be at least 21 years old; creating Section 3-29(7)(c) of the Code of Ordinances related to commercial quadricycles to provide for an operator to

hold a valid Driver’s License and Certified Alcoholic Beverage Server Training; creating Section 3-29(7)(d) of the Code of Ordinances related to commercial quadricycles to provide for that all passengers remain seated while quadricycle is in motion; creating Section 3-29(7)(e) of the Code of Ordinances related to commercial quadricycles to limit the number of passengers to the number of inspected seats; creating Section 3-29(7)(f) of the Code of Ordinances related to commercial quadricycles to provide that no commercial quadricycle shall be stored on public property including streets overnight; creating Section 3-29(7)(g) of the Code of Ordinances related to commercial quadricycles to provide all commercial quadricycle shall operate as close as possible to the shoulder of the road; creating Section 3-29(7)(h) of the Code of Ordinances related to commercial quadricycles to provide the driver and other employees must not be under the influence of alcoholic beverages or illegal substances; creating Section 3-29(8)(1) of the Code of Ordinances related to commercial quadricycles to provide to provide for loading and unloading of passengers shall be done off roadway.

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. 6 to the Agreement with Gresham Smith and Partners for design services related to the Town Branch Commons Corridor Project, increasing the contract price by the sum of \$2,996.00 from \$3,385,744.39 to \$3,388,740.39 received second reading.

Upon motion by Mr. F. Brown, and seconded by Mr. McCurn, the resolutions were approved by the following vote:

Aye:	Kay, Lamb, McCurn, Mossotti, Plomin, Reynolds, Swanson, Worley, Bledsoe, F. Brown, J. Brown, Ellinger, Evans, Farmer	-----14
Nay:	Moloney	-----1

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. 5 to the Agreement with AECOM Technical Services, Inc., d/b/a AECOM, for additional professional program management services related to the Town Branch Commons Project, increasing the contract price by the sum of \$11,850.00 from \$3,336,991.50 to \$3,348,841.50 received second reading.

Upon motion by Mr. F. Brown, and seconded by Mr. McCurn, the resolutions were approved by the following vote:

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

Nay: Moloney -----1

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A Resolution approving the granting of a local occupational license fee payroll tax rebate to Baptist Healthcare Systems, Inc., and/or its approved subsidiaries or affiliates, whereby the Lexington-Fayette Urban County Government agrees to rebate 1.25% of collected defined wages related to certain jobs created as part of Baptist Healthcare's Hamburg Project in Fayette County for a period of five years from the activation date, and 1.125% for an additional period of fifteen years, along with other consideration Granted to each party, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement and any other necessary documents with Baptist Healthcare Systems, Inc., related to the project received second reading.

Upon motion by Mr. F. Brown, and seconded by Mr. McCurn, the resolutions were approved by the following vote:

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

Nay: Mossotti -----1

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

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

Nay: -----0

A Resolution accepting the bid of United Rentals (North America), Inc., establishing a price contract for Portable Restrooms, for the Div. of Parks and Recreation.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with I/O Solutions, Inc. for Police Sergeants and Police

Lieutenants promotional processes for the Lexington Div. of Police, at a cost not to exceed \$76,000.

A Resolution ratifying, on behalf of the Urban County Government, the Mayor's previous execution of a modified Grant Agreement with the Ky. Office of Homeland Security to extend the period of performance for the FY18 State Homeland Security Grant for the Lexington Bomb Squad through June 30, 2021, at no additional cost to the Urban County Government.

A Resolution authorizing the Div. of Emergency Management on behalf of the Urban County Government, to purchase Accessible Hazard Alert System, from Deaf Link Inc., a sole source provider, at a cost not to exceed \$8,687.49.

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, Grey Oak Lane, LLC, Ball Homes, LLC, and the City of Nicholasville, to provide sanitary sewer conveyance and treatment capacity to the Ash Grove Joint Storm and Sanitary Project in Jessamine County.

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 N/R Enterprises, LLC, to provide sanitary sewer conveyance and treatment capacity to lots 1, 2, and 3A to 3C of the DDD&W LLC Property (Brannon Shoppes Development) in Jessamine County.

A Resolution ratifying, on behalf of the Urban County Government, the Mayor's previous acceptance of a Grant from the KY. Dept. of Corrections, which Grant funds are in the amount of \$262,800 Commonwealth of KY. funds, are for the operation of a 40-bed Substance Abuse Recovery Program at the Fayette County Detention Center for FY21 and FY22, 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 the Mayor, on behalf of the Urban County Government, to execute Agreements with Blue Grass Boy Scout Council (\$560.00), Stonewall Equestrian Organization, Inc. (\$668.75), and LexArts, Inc. (\$500.00) for the Office of the Urban County Council, at a cost not to exceed the sum stated.



A Resolution ratifying the Permanent Classified Civil Service Appointments of: William Housh, Mailroom Clerk, Grade 508N, \$15.734 hourly in the Dept. of General Services, effective April 14, 2020, Garrett Ogden, Heavy Equipment Technician, Grade 518N, \$21.760 hourly in the Div. of Facilities and Fleet Management, effective April 14, 2020, and Kenny Priddy, Heavy Equipment Technician, Grade 518N, \$23.246 hourly in the Div. of Facilities and Fleet Management, effective April 28, 2020.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Aylesford Place Association (\$9,000) 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 a Memorandum of Understanding and Cost Reimbursement Agreement with Federal Bureau of Investigation, Joint Terrorism Task Force (JTTF), for formalizing the relationship between the FBI and the Lexington Police Dept. (LPD), in order to maximize cooperation and create a cohesive unit and to delineate the responsibilities and commitment of the FBIJTTF and LPD.

A Resolution ratifying, on behalf of the Urban County Government, the Mayor's previous execution of an Agreement with Crestline Hotels and Resorts, LLC d/b/a Residence Inn South, as agent for HIT Portfolio I MISC TRS, LLC, for temporary occupancy by first responders affected by COVID-19, at a cost not to exceed \$10,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with U.S. Geological Survey, for the continuing and ongoing maintenance and operation of existing stream flow and precipitation gauges for the period July 1, 2020 through June 30, 2021, at a cost not to exceed \$118,450, subject to sufficient funds being appropriated (FY2021).

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to approve and adopt Substantial Amendments to the 2019 Annual Action Plan and to accept \$1,427,971 in Federal Community Block Development Grant funds and \$710,986 in Federal Emergency Solutions Grant Funds from the U.S. Dept. of Housing and Urban Development under the Coronavirus Aid, Relief and Economic Security Act (CARES Act) for response to COVID-19, at no additional cost to the Urban County Government, and to amend the Urban County Government's Citizen Participation

Plan to allow for virtual public hearings and a reduced public comment period during a global pandemic or other disaster.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement (awarded pursuant to RFP No. 8-2020) with Tetra Tech, Inc., for Annual Program Management Services for Consent Decree Implementation and MS4 Permit Compliance, at a cost not to exceed \$816,000.

A Resolution amending the Council Project Expenditure Policy adopted pursuant to Resolution No. 227-2016 to extend the date for encumbering project funds to December 31, 2020.

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the KY. 911 Services Board, and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$37,113.12 in Commonwealth of KY. funds and are for the purchase of two AVTEC radio dispatch consoles for the Div. of Enhanced 911, and establishing Motorola Solutions, Inc. as a sole source provider for AVTEC radio dispatch consoles and authorizing the Mayor to execute any necessary agreements with Motorola Solutions, Inc. for the procurement of this equipment received first reading.

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

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

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

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 Grant Application to the Ky. 911 Services Board, and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$17,910 in Commonwealth of Ky.

funds and are for the purchase of licenses and installation services for Emergency Medical Dispatch Training Environments for the Div. of Enhanced 911, and establishing PowerPhone, Inc. as a sole source provider for licenses and installation services for Emergency Medical Dispatch training environments, and authorizing the Mayor to execute any necessary agreements with PowerPhone, Inc. for the procurement of emergency medical dispatch training environments received first reading.

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

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

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

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 Grant Application to the U.S. Dept. of Homeland Security and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the total amount of \$25,000 in Federal funds under the assistance to Firefighters Grant Program - Fire Prevention and Safety (FP&S) for Fiscal Year 2021, and are for the purpose of replacing or purchasing hard wired and 10 year sealed smoke alarms received first reading.

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

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

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

Nay: -----0

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Tanbark Association of Neighbors (\$400.00), the Enclave at Lochmere Estates HOA, Inc. (\$177.00), Lexington Leadership Foundation (\$500.00), East Lake Neighborhood Association, Inc. (\$100.00), Still Meadows HOA (\$360.00), Squire Oak HOA (\$210.00), Chilesburg Maintenance Association (\$240.00), Wavecrest HOA, Inc. (\$50.00), Locust Hill Townhomes Association, Inc. (\$50.00), Bluegrass Community Foundation, Inc. (\$1,111.96), Greenhouse17, Inc. (\$280.99), Natalie's Sisters, Inc. (\$1,000.00), Arbor Youth Services, Inc. (\$750.00), and Georgetown Street Area NA, Inc. (\$480.00), for the Office of the Urban County Council, at a cost not to exceed the sum stated received first reading.

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

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

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

Nay: -----0

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The following resolutions received first reading and were ordered to be placed on file for public inspection until June 11, 2020:

A Resolution accepting the bids of Cardno, Inc.; Advanced Mulching Technologies, Inc. d/b/a Ecogro; Klausung Group, Inc.; Pack's Nursery and Landscaping, LLC; Skybax Ecological Services, LLC; and Third Rock Consultants, LLC, establishing price contracts for Greenway Maintenance, for the Div. of Environmental Services.

A Resolution accepting the bid of Tom Chesnut Excavation & Construction, LLC, establishing a price contract for Fencing for Man O' War, for the Div. of Streets and Roads.

A Resolution accepting the bid of the Henry P. Thompson Co., establishing a price contract for Submersible Mixers for West Hickman Wastewater Treatment Plant, for the Div. of Water Quality.

A Resolution ratifying the Permanent Civil Service Appointments of: Brittany Smith, Attorney, Grade 523E, \$2,351.36 biweekly in the Dept. of Law, effective April 21, 2020,

Michael Fuller, Engineering Technician, Grade 514N, \$19.319 hourly in the Div. of Engineering, effective April 7, 2020, Russell Watkins, Engineering Technician, Grade 514N, \$19.000 hourly in the Div. of Engineering, effective February 26, 2020, Grace Foley, Traffic Engineer Sr., Grade 525E, \$2,707.69 biweekly in the Div. of Traffic Engineering, effective April 7, 2020, Jeremy Asbery, Heavy Equipment Technician, Grade 518N, \$21.760 hourly in the Div. of Facilities and Fleet Management, effective May 25, 2020, Nicholas Cox, Heavy Equipment Technician, Grade 518N, \$22.304 hourly in the Div. of Facilities and Fleet Management, effective May 18, 2020; and ratifying the Classified Civil Service Demotion of: Renu Agarwal, Administrative Specialist Sr., Grade 516N, \$22.380 hourly in the Div. of Revenue, effective May 25, 2020.

A Resolution authorizing the Dept. of Law to institute condemnation proceedings in Fayette Circuit Court to obtain a portion of the real property located at 1180 Newtown Pike in fee simple, with further temporary and permanent easements thereon, for the Upper Cane Run Wet Weather Storage Project.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant to Tanbark Association of Neighbors, Inc., for Stormwater Quality Projects, at a cost not to exceed \$39,925.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 (Final) to the Agreement with Stantec Consulting Services, Inc., for Sanitary Sewer Capacity, Management, Operations, and Maintenance (CMOM) Implementation Services, decreasing the contract price by the sum of \$123,619.75, from \$275,000.00 to \$151,380.25.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a renewal Pricing Supplement and Pricing Sheet with Transunion Risk and Alternative Data Solutions, Inc., (TRADS), for advanced use for the Div. of Police of a data source maintained by TRADS, at a cost not to exceed \$9,600.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Unified Technologies for Server Replacement and Maintenance for the Coroner's Phone System, at a cost not to exceed \$1,743.37 in Fiscal Year 2020, with four (4) annual renewals at a cost not to exceed \$3,559.48 per fiscal year.

A Resolution amending Resolution 64-2020 to revise an account from which funds are to be paid for Change Order No. 2 to the Contract with Bluegrass Contracting Corporation for the Southland Drive Sidewalk Project.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a certificate of consideration and any other necessary documents, and to accept a deed for the real property located at 622 Silverleaf Ct. as part of the Silverleaf Ct. Stormwater Improvements Project, at a cost not to exceed \$165,000, plus usual and appropriate closing costs.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Ballew Estates, LLC to occupy 2,458 square feet at 141-143 East Main St., as known as Alfalfa's Restaurant, with an annual impact of \$34,589.28.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to renew its Service Agreement with Granicus, Inc., for Legislative Management Software, at a cost not to exceed \$57,742.44 in Fiscal Year 2021, to increase by 3% in each fiscal year thereafter, subject to the appropriation of funds.

A Resolution ratifying, on behalf of the Urban County Government, the Mayor's previous execution of an Agreement with the Lamar Co., L.L.C., d/b/a Lamar, for the purchase of vinyl to make personal protective equipment, at a cost not to exceed \$2,000.

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 Boiler Replacement Project, increasing the contract price by the sum of \$2,064, from \$221,000 to \$223,064.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Professional Services Agreements with Lyndsay Palombit and Angela Begley, as Sexual Assault Nurse Examiners, to provide on-call forensic examinations and services under the Sexual Assault Nurse Examiner Program for Fiscal Year 2020, at a cost not to exceed \$9,672.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an amendment to the Master Equipment and Products Agreement with

Siemens Healthineers, for provision of the needed sized bottles of assay, for the Div. of Community Corrections, 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 Ky. Justice and Public Safety Cabinet, 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 \$52,156 in Federal funds under the Victims of Crime Act and are for the support of a Bilingual Victims Advocate in the Div. of Police for Fiscal Year 2021, the acceptance of which obligates a local cash match in the amount of \$13,039 from the Urban County Government and a \$500 in-kind 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 an Agreement with Ky. Transportation Cabinet (KYTC), to delegate responsibility for operation and maintenance of traffic signals and electrical traffic control devices on roadways included in the State Primary Road System and located in Lexington-Fayette County to the Urban County Government, at an estimated cost not to exceed \$360,000 to be reimbursed by KYTC.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept \$159,460 in Federal funds from the U.S. Dept. of Housing and Urban Development's Housing Opportunities for Persons with Aids (HOPWA) Grant program, awarded under the CARES Act, for the purpose of reimbursing expenses incurred to prevent, prepare for and respond to Covid-19, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, to transfer unencumbered funds within the Grants Budget, and to execute an Agreement with AVOL Ky. to provide short-term rental assistance and other eligible program services.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Energy and Environment Cabinet, 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 \$4,000 in Commonwealth of Ky. funds for Fiscal Year 2021 and are for the disposal and recycling of waste tires, 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 \$67,500 in Commonwealth of Ky. funds from the Ky. Cabinet for Health and Family Services, allocated by the CARES Act, to support child care expenses at the Family Care Center, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and to transfer unencumbered funds within the Grants Budget.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Grant Award Agreement with Lexington and Fayette County Parking Authority, for a Stormwater Quality Project, decreasing the Grant Award by the sum of \$74,443.53, from \$240,000.00 to \$165,556.47.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Release of Easement, releasing a street light easement on the properties located at 421 and 431 United Ct.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Easement Release and Modification Agreement, releasing a utility easement on the property located at 1739 Lakewood Ln.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with Lagco, Inc., for the Manchester St. and Willard St. Sanitary Sewer Improvements Project, increasing the contract price by the sum of \$478,950, from \$1,683,780 to \$2,162,730, and extending the date of completion by 54 calendar days, to June 19, 2020.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easement, releasing a sanitary sewer easement on the property located at 440 Squires Rd.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2 to the Agreement with Dugan & Meyers, LLC, for the Town Branch Waste Water Treatment Plant Thickening Process Upgrades, increasing the contract price by the sum of \$44,286, from \$3,261,032 to \$3,305,318.



A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement (awarded pursuant to RFP No. 50-2019), with CARMAN, to provide services for the Div. of Water Quality under the Indefinite Services Contract for Landscape Architecture Services Related to Non-Paved Site Restoration, with future work awarded and funds budgeted on a project basis.

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 Wolf Run Trunk Sewers D & E Project, a Remedial Measures Project required by the Consent Decree, at a cost not to exceed \$31,200.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet, 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 \$134,889 in Federal funds under the Victims of Crime Act and are for the implementation of the Underserved Minority Victims Advocacy Program in the Dept. of Social Services for Fiscal Year 2021, the acceptance of which obligates a local cash match in the amount of \$59,183 from the Urban County Government and a \$500 in-kind match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution approving the FY 2021 Budget of the Transit Authority of the Lexington-Fayette Urban County Government (LexTran) pursuant to KRS 96A.360 and requesting that the Comm. of Finance authorize the Fayette County Sheriff's Office to disburse the funds to LexTran collected from the Ad Valorem Tax approved by voters on November 9, 2004.

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Upon motion by Mr. Farmer, and seconded by Mr. McCurn, the Communications from the Mayor were approved by majority vote (Mr. Swanson recused) and were as follows: (1) Recommending the reappointment of James Womack, and Jane Graham, to the Administrative Hearing Board, both with terms of July 1, 2020 through July 1, 2023; (2) Recommending the appointment of Detective Anthony Delimpo, Police

Representative, and Trevion McFarland, to the Bluegrass Crime Stoppers, both with terms of May 28, 2020 through May 28, 2024; (3) Recommending the reappointment of Leah Mason, At-large, to the Board of Health, with a term of June 30, 2020 through June 30, 2022; (4) Recommending the appointment of Russell Whitney, filling the unexpired term of Barbara Pickett, to the CASA of Lexington, with term of May 28, 2020 through July 1, 2021; (5) Recommending the appointment of Councilmember Mark Swanson, LFUCG Council Representative, filling the unexpired term of Jake Gibbs, to the Downtown Lexington Management District, with a term of May 28, 2020 through December 8, 2023; (6) Recommending the reappointment of Thomas Weathers, Area Representative, and the appointments of Jonathan Washington, LFUCG Representative, and Michael Smith, LFUCG Representative, to the Dunbar Neighborhood Center Board, with terms of December 8, 2019 through December 8, 2023 and May 28, 2020 through May 28, 2024, respectively; (7) Recommending the appointment of Councilmember Richard Moloney, LFUCG Council Representative, filling the unexpired term of Jake Gibbs, and Bradley Patrick, At-large, to the Economic Development Investment Board, with terms of May 28, 2019 through June 20, 2023, and May 28, 2020 through May 28, 2024, respectively; (8) Recommending the reappointment of Jim Frazier, to the Parking Authority Board, with term of June 1, 2020 through June 1 2024; (9) Recommending the reappointment of Deborah Tudor, At-large, to the Picnic with the Pops Commission, with a term of July 1, 2020 through July 1, 2024; (10) Recommending the appointment of Jamie Rodgers, and J. Harding Dowell, to the Transit Authority Board, both with terms of June 30, 2020 through June 30, 2024; and, (11) Recommending the reappointment of Ian Hoffman, to the Tree Board, with a term of August 7, 2020 through August 7, 2024.

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The following Communications from the Mayor were received for information only: (1) Probationary Classified Civil Service Appointment of Amanda Shaffer, Telecommunicator Supervisor, Grade 520E, \$1,998.80 biweekly in the Div. of Enhanced 911, effective May 25, 2020; (2) Probationary Classified Civil Service Appointment New Hire of Mark Elliott, Electronic Technician, Grade 515N, \$20.990 hourly in the Div. of Police, effective June 15, 2020; (3) Sworn Probationary Appointment of Travis Overton, Police Sergeant, Grade 315N, \$32.408 hourly in the Div. of Police, effective June 1, 2020;

(4) Classified Civil Service Temporary Appointment of Justin Huber, Golf Course Superintendent Sr., Grade 520E, \$1,919.20 biweekly in the Div. of Parks and Recreation, effective May 4, 2020; (5) Classified Civil Service Temporary Appointment of Deepika Eyunni, Traffic Engineer Manager, Grade 527E, \$2,918.96 biweekly in the Div. of Traffic Engineering, effective May 25, 2020; and, (6) Classified Civil Service Reinstatement of Willetta Cowan, Resource Recovery Operator, Grade 513N, \$20.006 hourly in the Div. of Waste Management, effective June 8, 2020.

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Mr. Moloney asked how the city will prepare for the reopening of public pools on June 29<sup>th</sup> as announced by Governor Beshear. Commissioner Monica Conrad, Div. of Parks and Recreation, explained that the city was waiting to review the social distancing guidelines for public pools before making any decisions.

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Mr. Farmer apologized to Mayor Gorton for his absence at Tuesday's stakeholders meeting. He requested an update on the situation at the Federal Medical Center (FMC) and asked if there was a way to improve the relationship between the city and the FMC. Mayor Gorton confirmed that she had been able to establish a relationship with the warden and talked about the FMC Community Relations Board. She announced the board was in need of a Councilmember and encouraged Councilmembers to consider serving. Mayor Gorton additionally clarified that the recent increase in Covid19 cases in Lexington were not at the FMC.

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Mr. McCurn commented on the length of the quadricycle ordinance and complimented the Council Clerk Abigail Allan for her alacritous reading of the ordinance. He recognized Mr. Steve Gahafer, Div. of Code Enforcement, who had received a compliment from a 2<sup>nd</sup> District constituent for his perseverance in locating adequate housing for three other constituents.

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Ms. Bledsoe spoke about the Senior Send Off at the Lexington Horse Park for all Lexington High School Graduates and shared some photos from the event. She thanked Asst. Chief Jason Wells, Div. of Fire, Councilmembers, and Lynn Imaging for their

supports and efforts to help organize this event. Ms. Bledsoe congratulated all graduating seniors for their hard work and accomplishments.

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Ms. Lamb reminded everyone to register to vote as well as request an absentee ballot for the upcoming primary on June 23.

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Mr. J. Brown commented on the robust discussions at the earlier Budget Committee of the Whole meetings. He offered condolences to the family of Michael Haskins, magistrate, longtime member of the Black & Williams Community Center Advisory Board, and former president of the Georgetown St. Neighborhood Association. Mayor Gorton offered her condolences and praised his many accomplishments serving the community.

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Upon motion by Mr. Farmer, seconded by Mr. McCurn, and approved by unanimous vote, the meeting adjourned at 6:56 p.m.

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Deputy Clerk of the Urban County Council