

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky March 5, 2020

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on March 5, 2020 at 6:00 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the council: Bledsoe, F. Brown, J. Brown, Ellinger, Evans, Farmer, Lamb, McCurn, Moloney, Mossotti, Plomin, Reynolds, and Worley. Absent was Vice Mayor Kay. The 3rd District seat was vacant due to the death of Council Member Gibbs on March 3, 2020.

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

Ordinances No. 12-2020 through 20-2020, inclusive, and Resolutions No. 63-2020 through 93-2020, inclusive, were reported as having been signed and published and ordered to record.

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The Invocation was given by Presiding Elder Kenneth J. Golphin of the Bluegrass District of the African American Methodist Episcopal Church.

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Upon motion by Mr. Farmer, seconded by Ms. Plomin, and approved by unanimous vote, the Minutes of the February 11, 2020 Zone Change Public Hearing and February 20, 2020 Council Meeting were approved.

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Mayor Gorton invited Dirs. Stephanie Hong, Joanna Rodes, and Kristy Stambaugh, and Comm. Chris Ford, Dept. of Social Services, to join her at the podium, and read a Proclamation declaring March 2020 as Social Work Month in Lexington.

The Mayor spoke of the importance, commitment, impact, and work of the 30 plus social workers employed by LFUCG and recognized their great efforts within the community. Comm. Ford commended his staff and commented on the tenured social workers and emerging leaders in his department. He conveyed sincere gratitude, on behalf of his staff, for the support received from the Mayor, CAO, Council, and other departments.

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The Mayor invited Explorer Post 357, supporting officers, and Council Member Mossotti to the podium, and read a proclamation declaring March 5, 2020 Explorer Post 357 Day in Lexington.

The Mayor spoke of the program, which welcomes all youth who show an interest in law enforcement between the ages of 14 and 21. She commended the remarkable young people and the uniformed officers involved, as well as the benefits the program provides. She thanked the members for their commitment to their community and commended them on their recent two accolades which were won at Gatlinburg's Winterfest 2020: a second place award in the Uniform Competition Class A and a first place award for the Table Top Display Contest. Ms. Mossotti spoke of the commitment from those involved and thanked the officers who support and sponsor the program.

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

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

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 \$13,500 to provide funds for Council Projects in the Div. of Traffic Engineering for the purchase and installation of three speed tables for De Roode St. and appropriating and re-appropriating funds, Schedule No. 35.

An Ordinance amending Section 2-32 and Section 2-33 of the Code of Ordinances to replace the term "individual" with "person" to conform to the definitions set out in KRS 344.010.

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. 34.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$7,000 to

provide funds for Council projects in the Div. of Traffic Engineering for the purchase and installation of speed feedback signs on Gladman Way and appropriating and re-appropriating funds, Schedule No. 36.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for the Div. of Environmental Services for funds in the amount of \$243 from Neighborhood Development Funds for tree replacement in Cave Court Median, Schedule No. 37.

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An Ordinance amending Ordinance No. 203-80, as previously amended, relating to the Economic Development Investment Board, to increase the membership from eleven to thirteen by adding an additional two at-large members; to allow members of the Lexington-Fayette Urban County Industrial Authority to be selected by the Mayor; and to include oversight over Economic Development Partner and Workforce Development Grant funding, with final approval of funding to be made by the Urban County Council, and related matters received first reading.

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

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

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

Nay: -----0

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An Ordinance changing the zone from a Single Family Residential (R-1D) zone to a Planned Neighborhood Residential (R-3) zone, for 0.229 net (0.3046 gross) acres, for properties located at 213, 215, 217, 219, 221, 223, 225 and 229 Perry St. (Lexington Habitat for Humanity; Council District 2) was on the docket for first reading.

Mr. Roland Taylor, Perry St. spoke in opposition of the Ordinance.

The Ordinance received first reading.

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The following ordinances received first reading and were ordered to be placed on file for public inspection until March 19, 2020:

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$5,270, to provide funds for Council Projects in the Div. of Parks and Recreation for the installation of a human and canine water fountain at Belleau Wood Park and appropriating and re-appropriating funds, Schedule No. 39.

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. 38.

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 2 (Two) with the Ky. Transportation Cabinet, for the acceptance of additional Federal grant funds, which Grant funds are in the amount of \$500,000, under the Transportation Alternatives Program (TAP), are for the Construction Phase of the Town Branch Commons Trail Zone 2, the acceptance of which obligates the Urban County Government for the expenditure of \$125,000 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 received second reading.

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

Aye: Bledsoe, F. Brown, J. Brown, Ellinger, -----12
Evans, Farmer, Lamb, McCurn, Mossotti,
Plomin, Reynolds, Worley

Nay: Moloney -----1

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 4 (Four) with the Ky. Transportation Cabinet, for the acceptance of additional federal Grant funds, which Grant funds are in the amount of \$500,000, under the Congestion Mitigation and Air Quality (CMAQ) Program, and are for the Construction Phase of the Town Branch Commons

Trail - Midland Section, the acceptance of which obligates the Urban County Government for the expenditure of \$125,000 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 received second reading.

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

Aye: Bledsoe, F. Brown, J. Brown, Ellinger, -----12
Evans, Farmer, Lamb, McCurn, Mossotti,
Plomin, Reynolds, Worley

Nay: Moloney -----1

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

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

Nay: -----0

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Jessamine County Fiscal Court, which Grant funds are in the amount of \$10,000, are for the support of the Lexington-Fayette Urban County Metropolitan Planning Organization (MPO) personnel costs, 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 an Agreement awarding a Class A (Neighborhood) Incentive Grant to Andover Forest Homeowners Association, Inc., for Stormwater Quality Projects, at a cost not to exceed \$68,000.

A Resolution authorizing the Div. of Waste Management, on behalf of the Urban County Government, to purchase Electronic Vehicle Inspection reporting software, hardware, data plans, and professional services from Zonar Systems, LLC, a sole source provider.

A Resolution authorizing the Div. of Waste Management, on behalf of the Urban County Government, to purchase hardware, software, professional services, cellular data plans and/or software maintenance support, from Routeware, Inc., a sole source provider.

A Resolution authorizing the Div. of Waste Management, on behalf of the Urban County Government, to purchase hardware, software and support services for the scales at three locations, from Mettler Toledo, a sole source provider.

A Resolution authorizing and adopting an updated filing fee schedule for Planning Commission and Board of Adjustment applications.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant to Andover Neighborhood Association, Inc., for Stormwater Quality Projects, at a cost not to exceed \$73,275.24.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Contract with Populus Technologies, Inc., for data management services related to dockless vehicles, for the Div. of Planning, at a cost not to exceed \$10,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to spend additional funds for the Data License Agreement with Inrix, Inc., for a Travel Time Analytics Software Platform, to monitor vehicular travel times on roadways in Fayette County and Jessamine County, for year 2 for \$75,000 (FY 2020) and subsequent years for \$75,000 (FY 2021) at a cost not to exceed \$150,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Columbia Gas Ky. for Utility Relocation for the Old Frankfort Pike Scenic Byway Viewing Area Project, at a cost not to exceed \$15,043.32.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Moondance Foundation (\$1,600) and Fayette County School District Finance Corp. (\$600), 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, establishing a Price Contract for Triple Combination Pumpers, for the Div. of Fire and Emergency Services.

A Resolution accepting the bids of Central Indiana Truck Equipment, Corp.; and Municipal Equipment, Inc., establishing price contracts for Refuse Truck Body Parts, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of National Environmental Contracting, Inc., establishing a price contract for Environmental Abatement Services, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of The Allen Co., Inc., in the amount of \$179,185.10, for the Elizabeth St. and Forest Park Site Improvements, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with The Allen Co. Inc., related to the bid.

A Resolution accepting the bids of JDR Industries d/b/a Quilt-EZ; Cortelco LED Lighting; Cantrell Supply, Inc.; CED, Inc., and Rexel, Inc., establishing Price Contracts for LED Lighting Fixtures, for the Dept. of Environmental Quality and Public Works.

A Resolution accepting the bid of Compass Group USA, Inc. d/b/a Canteen, establishing a Price Contract for Vending Services, for the Div. of Community Corrections.

A Resolution accepting the bid of Hach Co., establishing a price contract for Luminescent Dissolved Oxygen Analyzer and Digital Controller, for the Div. of Water Quality.

A Resolution accepting the bids of J. Edinger & Sons, Inc.; and One Source Parts, establishing Price Contracts for Refuse Truck Body Parts, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of The Allen Co., Inc., in the amount of \$231,221.20, for the James Lane Culvert Replacement, for the Div. of Engineering, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with The Allen Co. Inc., related to the bid.

A Resolution ratifying the Probationary Classified Civil Service Appointments of: Stephanie Ballard, Administrative Specialist Sr., Grade 516N, \$21.323 hourly in the Div. of Revenue, effective March 9, 2020, Allison Morris, Administrative Specialist, Grade 513N, \$17.049 hourly in the Div. of Revenue, effective February 17, 2020, Daniel Layne, Staff Assistant, Grade 508N, \$14.188 hourly in the Div. of Revenue, effective March 9, 2020, Gabriel Hensley, Water Quality Manager, Grade 523E, \$2,835.28 biweekly in the Div. of Water Quality, effective February 17, 2020, Jimmy Ross, CMOM Program

Manager, Grade 523E, \$2,538.32 biweekly in the Div. of Water Quality, effective February 17, 2020, Jefferson Harkless, Resource Recovery Operator, Grade 513N, \$18.254 hourly in the Div. of Waste Management, effective March 2, 2020 and Georganna King, Administrative Specialist, Grade 513N, \$17.408 hourly in the Div. of Parks and Recreation, effective March 2, 2020 and ratifying the Classified Civil Service demotion of: Alex Hicks, Resource Recovery Operator, Grade 513N, \$19.794 hourly in the Div. of Waste Management, effective March 2, 2020.

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 amount of \$2,000,000 Federal funds, under the 2019 Assistance to Firefighters Grant Program, and are for the replacement and/or purchase of 260 Self Contained Breathing Apparatus (SCBAS) Units.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement with Stantec Consulting Services, Inc., for the construction materials sampling, testing, and special inspections for the Town Branch Commons and Town Branch Trail Phase 6 and Turn Lane Projects, at a cost not to exceed \$94,000.

A Resolution authorizing and directing the Div. of Traffic Engineering to install one (1) speed table on Blue Ash Dr. between Harrodsburg Rd. and Clays Mill Rd. per guidelines in the Neighborhood Traffic Management Program, once the neighborhood matches are received, at a cost not to exceed \$4,500.

A Resolution authorizing the Div. of Engineering, on behalf of the Urban County Government, to purchase services related to the scanning of files and implementation of Onbase/GIS Integration, from Konica Minolta Business Solutions U.S.A., Inc., a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Konica Minolta Business Solutions U.S.A., Inc., related to the procurement, at a cost estimated not to exceed \$55,225 in FY 2020, with ongoing software maintenance costs subject to appropriation of sufficient funds in future fiscal years.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute the First Renewal of the Agreement with Advanced Mulching Technologies, Inc.

d/b/a EcoGro, for post-construction monitoring, reporting, and maintenance relating to the Coldstream Park Stream Restoration and Preservation Project, a Supplemental Environmental Project required by the Consent Decree, at a cost estimated not to exceed \$41,310.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Allegro Dance Project, Inc. (\$480), Ky. Lions Eye Foundation (\$600) and East End Community Development Corp. (\$500), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution authorizing and directing the Div. of Traffic Engineering, pursuant to Section 18-46 of the Code of Ordinances, to designate St. George Dr. as being prohibited to through trucks, and authorizing and directing the Div. of Traffic Engineering to install proper and appropriate signs in accordance with the designation.

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with the Lexington History Museum (\$900) and Legacy Equine Academy, Inc. (\$425), 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 Mr. McCurn, 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: Bledsoe, F. Brown, J. Brown, Ellinger, -----13
Evans, Farmer, Lamb, McCurn, Moloney,
Mossotti, Plomin, Reynolds, Worley

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: Nichole Forte, Staff Assistant Sr., Grade 510N, \$15.662 hourly in the Div. of Purchasing, effective March 16, 2020, Marquis Hale, Resource Recovery Operator, Grade 513N, \$17.205 hourly in the Div. of Waste Management, effective upon passage of Council, Jay Small, Administrative Specialist, Grade 513N, \$18.413 hourly in the Div. of Parks and Recreation, effective

upon passage of Council and Robert Clay, Public Service Worker, Grade 507N, \$12.962 hourly in the Div. of Parks and Recreation, effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following probationary Community Corrections Officer appointments: David Hill, Shane Wilson, Tyler Heflin and William Rowe Jr., all Community Corrections Officer Recruit, Grade 109N, \$15.384 hourly in the Div. of Community Corrections, effective upon passage of Council; and ratifying the Unclassified Civil Service appointment of: Joshua Tevis, Public Works Apprentice, Grade 504N, \$13.000 hourly in the Div. of Streets and Roads, effective March 16, 2020 received first reading.

Upon motion by Mr. J. Brown, seconded by Ms. Mossotti, 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:	Bledsoe, F. Brown, J. Brown, Ellinger, Evans, Farmer, Lamb, McCurn, Moloney, Mossotti, Plomin, Reynolds, Worley	-----13
Nay:		-----0

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Acheulean Consulting, for the provision of archaeological monitoring services for the Town Branch Commons Construction Project for FY 2020 at a cost not to exceed \$160,233 received first reading.

Upon motion by Ms. Mossotti, 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:	Bledsoe, F. Brown, J. Brown, Ellinger, Evans, Farmer, Lamb, McCurn, Moloney, Mossotti, Plomin, Reynolds, Worley	-----13
Nay:		-----0

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The following resolutions received first reading and were ordered to be placed on file for public inspection until March 19, 2020:

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2 (Final) to the Agreement with Advanced Mulching Technologies d/b/a EcoGro, for the WGPL Green Infrastructure Project, increasing the contract price by the sum of \$16,214.63, from \$159,962.00 to \$176,176.63.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to increase the Contract amount for Bell Engineering Services due to Contract Modifications for additional Geotechnical testing for Jacobson Park Roadway Widening at a cost not to exceed \$4,500.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Comprehensive Operation Analysis (COA) Agreement with Lextran, for the acceptance of additional Federal funds, which funds are in the amount of \$320,000, from the Ky. Transportation Cabinet, are for transit planning, the acceptance of which obligates a local match in the amount of \$80,000 provided by Lextran, 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 a Memorandum of Agreement with Bluegrass Community and Technical College (BCTC), for services relating to water quality monitoring in the East Hickman Watershed, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an updated permanent Agreement with the Ky. Dept. of Education/Div. of School and Community Nutrition, for participation in the United States Dept. of Agriculture's Child Care Food Program and operation of the nutrition program at the Family Care Center in FY 2020 and which updates the authorized official signature.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Release of Easements, releasing street light easements on the properties located at 2705 and 2709 Meadowsweet Lane.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to donate to the Scott County Sheriff's Office thirty-five (35) Full Face Respirators taken out of service by the Div. of Police.

A Resolution accepting the bids of Arrow Electric Co., Inc.; Davis H. Elliot Construction Co., Inc.; and AE Electrical Solutions, establishing price contracts for Underground Electrical Services, for the Div. of Parks and Recreation.

A Resolution accepting the bid of Software Management, LLC, establishing a price contract for Micrographic Services, for the Office of the Fayette County Clerk.

A Resolution accepting the bids of Right Lane, LLC d/b/a AAMCO Lexington East or AAMCO Transmissions and Total Care; and Clark's Auto Service, Inc., establishing price contracts for Automotive and Light Duty Truck Repair, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Woodford Oil Co., establishing a price contract for Motorcraft Synthetic Motor Oil, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Tailored Living featuring Premier Garage, in the amount of \$49,875, for the Floor Finish Replacement for Fire Station No. 2, for the Div. of Fire and Emergency Services, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Tailored Living featuring Premier Garage, related to the bid.

A Resolution accepting the bid of United Rotary Brush Corporation, establishing a price contract for Sweeper Brooms, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bids of Brenntag Mid-South, Inc., and OP Aquatics, establishing price contracts for Swimming Pool Chemicals, for the Div. of Parks and Recreation.

A Resolution ratifying the Probationary Classified Civil Service Appointments of: Alexander Braun, Public Service Worker Sr., Grade 509N, \$14.593 hourly in the Div. of Streets and Roads, effective March 9, 2020, Frank Mabson, Program Manager Sr., Grade 524E, \$2,364.72 biweekly in the Div. of Water Quality, effective March 30, 2020, Johnathan Lafollette, Treatment Plant Operator, Grade 515N, \$18.861 hourly in the Div. of Water Quality, effective March 30, 2020 and Sara Burd, Administrative Specialist, Grade 513N, \$18.420 hourly in the Div. of Engineering, effective March 30, 2020; ratifying the Permanent Civil Service Appointments of: Tamar Tompkins, Administrative Specialist Sr., Grade 516N, \$20.217 hourly in the Div. of Revenue, effective February 19, 2020 and Edmund Pierce, Traffic Signal Technician Sr., Grade 515N, \$20.593 hourly in the Div. of

Traffic Engineering, effective March 9, 2020; and ratifying the Unclassified Civil Service appointments of: Richard Hall, Construction Supervisor, Grade 524E, \$2,744.00 biweekly in the Div. of Water Quality, effective March 30, 2020 and TJ Taylor, Construction Supervisor, Grade 524E, \$3,070.56 biweekly in the Div. of Water Quality, effective March 23, 2020.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to add two (2) user licenses for the Neighborly Software, for the Div. of Grants and Special Programs, at a cost not to exceed \$2,848.50.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Facility Usage Agreements with various youth baseball and softball leagues granting the leagues the right to use LFUCG baseball and softball fields and facilities for the 2020 spring and fall seasons.

A Resolution authorizing the Div. of Police, on behalf of the Urban County Government, to purchase Jet A Aviation Fuel from Tac Air, a sole source vendor, at a cost not to exceed \$5.01 per gallon.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Mutual Aid Agreement, with Fayette County Public Schools, for procedures in the event of a request for assistance.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from the 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 the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with Judy Construction Co., for the Brannon Rd. Salt Barn Construction Project, increasing the contract price by the sum of \$1,913 from \$1,084,000 to \$1,085,913.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Dept. of Environmental Protection-Div. of Waste Management, and to provide any additional information requested in connection with this Grant Application, which seeks Grant funds in the amount of \$100,000 for the support of a one-day household hazardous waste recycling event for Fayette County in FY 2021.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 5 to the Agreement with Banks Engineering, Inc., for the Southland Area Stormwater Improvement Project, increasing the contract price by the sum of \$12,400, from \$642,415 to \$654,815.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Windstream Communications for the relocation of Windstream Communications' facilities for the Brighton Trail Pedestrian Bridge Project for FY 2020 at a cost not to exceed \$21,589.32.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an amendment to the Grant Agreement with the Bluegrass Area Development District, Inc., to incorporate a \$4,072 increase in state funding for the operation of the Senior Citizens Center in FY 2020.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Test Security Agreement between Ergometrics, Inc. for testing applicants applying for Community Corrections Captain promotional processes, at a cost not to exceed \$3,500.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the City of Georgetown, to provide funding for the South Sewer Extension Project, a sanitary sewer project by the City of Georgetown to construct necessary sanitary sewer improvements and decommission private sewage treatment plants serving properties in Fayette County and Scott County, at a cost not to exceed \$475,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2 to the Agreement with WRC 1, LLC d/b/a W. Rogers Co., LLC, for the Wabash, Goodrich, Pensacola, and Lackawanna (WGPL) Storm Sewer Project, increasing the Contract price by the sum of \$128,721.66, from \$1,172,791.12 to \$1,301,512.78.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Test Security Agreement with I/O Solutions, Inc. for testing applicants applying for Fire and Emergency Services Recruit Firefighter positions, at a cost not to exceed \$7,500.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 (Final) to the Agreement with SAK Construction, LLC, for the Large Diameter Cure-In-Place Pipe and Manhole Rehabilitation Project, decreasing the Contract price by the sum of \$92,665 from \$1,376,825 to \$1,284,160.

A Resolution authorizing and directing the Urban County Government, by and through its Dept. of Finance, to transfer funding in the amount of \$3,657,851.36 from the General Fund Health Insurance Reserve to the Police and Fire Pension Fund, in order to reimburse and compensate the fund for current and past expenses related to Medicare Part B.

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Upon motion by Mr. Farmer, and seconded by Ms. Plomin, the Communications from the Mayor were approved by unanimous vote and were as follows: (1) Recommending the appointments of Paula Campbell-Rudd, Area Resident, and Denia Channels, Area Resident, to the Black & Williams Neighborhood Community Center Board, both with terms expiring March 5, 2024; (2) Recommending the reappointment of Charles Gamble, US Marine Corps Veteran, to the Commission on Veterans' Affairs, with a term expiring May 17, 2024; (3) Recommending the appointment of Stephanie Hoelscher, At large, to the Domestic & Sexual Violence Prevention Coalition, with a term expiring March 5, 2024; (4) Recommending the appointment of Raymond Hill, Fayette Park Neighborhood Representative, to the Historic Preservation Commission, with a term expiring June 30, 2023; (5) Recommending the appointment of Yajira West, At large, to the Library Board of Advisors, with a term expiring January 1, 2024; (6) Recommending the appointment of Zachary Davis, LBAR Representative, to the Rural Land Management Board, with a term expiring April 21, 2024; (7) Recommending the reappointment of Thomas Sweeney, Fayette County Resident Over 60 Representative, to the Senior Services Commission, with a term expiring February 18, 2024; and, (8) Recommending the reappointments of Velva Reed-Barker and Andrea Wilson to the Social Services Advisory Board, with terms expiring October 8, 2023 and November 19, 2023, respectively.

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

(1) Classified Civil Service Temporary Appointment of Jeffrey Lewis, Director of Revenue, Grade 532E, \$3,446.72 biweekly in the Div. of Revenue, effective February 24, 2020; (2) Classified Civil Service Lateral Position Change of Aubrey Burton, Administrative Specialist, Grade 513N, \$18.680 hourly in the Div. of Waste Management, effective March 16, 2020; (3) Resignation of Norris Rice, Child Care Program Aide, Grade 508N, Div. of Family Services, effective February 14, 2020; (4) Resignation of Brent Ross, Equipment Operator Sr., Grade 512N, Div. of Water Quality, effective February 4, 2020; (5) Resignation of Larry Allen Hamilton, Treatment Plant Operator, Grade 515N, Div. of Water Quality, effective January 31, 2020; (6) Resignation of Tiffany Thomas, Corrections Officer, Grade 110N, Div. of Community Corrections, effective February 9, 2020; (7) Resignation of Zachary Bryan, Police Officer, Grade 311N, Div. of Police, effective February 6, 2020; (8) Resignation of Carson R. Yates, Financial Coordinator, Grade 516N, Div. of Grants & Special Programs, effective January 31, 2020; (9) Resignation of Andrew V. MacLean, Corrections Officer, Grade 110N, Div. of Community Corrections, effective February 9, 2020; (10) Resignation of Zachary Allen Jones, Firefighter, Grade 311N, Div. of Fire, effective February 5, 2020; (11) Resignation of James A. Miller, Trades Worker Sr., Grade 551N, Div. of Streets & Roads, effective February 24, 2020; and, (12) Resignation of Seth A. Massie, Corrections Officer, Grade 109N, Div. of Community Corrections, effective February 4, 2020.

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Chief Chilton, Div. of Fire and Emergency Services, presented a disciplinary action regarding Firefighter Timothy Boniface. It is alleged that Firefighter Boniface has committed the offense of Absent Without Leave in violation of KRS 95.450 and UDG 1.11 Tardy, Late, & Absent Without Leave in that on the 13th of December, 2019, he allegedly Failed to report for a schedule overtime assignment. The appropriate punishment for this conduct is Written reprimand.

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

Chief Chilton, Div. of Fire and Emergency Services, presented a second disciplinary action regarding Firefighter Justin May. It is alleged that Firefighter May has

committed the offense of DUI and endangering the welfare of a minor in violation of KRS 95.450 and UDG 5.01 conformance of laws in that on the 16th of May, 2019, he allegedly plead guilty in Garrard County to DUI and endangering the welfare of a minor. The appropriate punishment for this conduct is 120 (one hundred twenty) hours suspension.

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

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Commander Ingram, Div. of Police, presented a disciplinary matter regarding Officer James York. It is alleged that Officer York has committed the offense of Violating Any Rules of the Division in violation of KRS 95.450 and General Order 1973-02J, Disciplinary Procedures, Appendix B, Operational Rule 1.35 – Violating Any Rules of the Division. Specifically General Order 2011-08F Emergency and Pursuit Driving and General Order 2015-15A Body Worn Cameras in that on the 3rd days of December 2019, he allegedly:

- (1) On Tuesday, December 3rd, 2019, Officer James York engaged in a vehicle pursuit of a suspect who fled from a traffic stop. The stop was initiated by another officer for speeding. Officer York failed to activate his body worn camera until after the arrest had been effected. The appropriate punishment for this conduct is Two (2) Week Suspension Without Pay upon return to duty sixty (60) (1440 hours) suspension of Home Fleet.

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

Commander Ingram, Div. of Police, presented a second disciplinary matter regarding Officer Jeremiah Terry. It is alleged that Officer Terry has committed the offense of Misconduct in violation of KRS 95.450 and General Order 1973-02J, Disciplinary Procedure, Appendix B, Operational Rule 1.02 – Misconduct in that on the 24 days of August, 2019 he allegedly:

- (2) On Saturday, August 24th, 2019 the Lexington Police Department was made aware of allegations of inappropriate interactions between Officer Jeremiah Terry and a citizen. Sufficient evidence was obtained during

the Inquiry authorized by Chief Weathers to substantiate the allegation as well as other violations of department policy. The appropriate punishment for this conduct is Six (6) month Suspension Without Pay, Retraining on Body Worn Cameras, Informant Handling Training, and Ethics Training.

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

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Mayor Gorton commented on the impromptu memorial comprised of meaningful objects that had been placed at the seat of the former Council Member Jake Gibbs and invited those to speak who wished to say a few words about the passing of their colleague.

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Mr. J. Brown noted that Neighborhoods in Transition would have its 3rd public input meeting at the Lyric Theatre, March 26, 2020 at 5:30 p.m. He briefly outlined the agenda.

He then read aloud a statement from Vice Mayor Kay:

"I had planned to attend tonight's meeting. But the closer it came, the more it seemed I was not up to it. I regret not being with you as you share your thoughts about Jake. I will simply say that Jake was a wonderful human being and an important part of my life. I am honored to have been his friend."

Mr. J. Brown also offered his sentiments about the passing of Mr. Gibbs. He spoke of Mr. Gibbs, his wife, and daughters, and of his legacy and impact throughout the community.

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Ms. Reynolds spoke about her time serving on Council with Mr. Gibbs and spoke of his strength and courage. She concluded by sharing a personal anecdote of Mr. Gibbs.

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Mr. Worley shared a personal anecdote about the former Councilman and stated that Mr. Gibbs was resolute in his support of his community.

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Ms. Evans read aloud an excerpt from Dr. Seuss's, *The Lorax*, in memory of Mr. Gibbs, his commitment to environmental activism, and his physical similarity to the Lorax.

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Ms. Bledsoe noted that March 4, 2020 was the Nicholasville Rd. / Imagine Lexington meeting which was attended by her, Ms. Reynolds and Ms. Mossotti. She noted the great attendance.

She went on to speak about her recently departed colleague, noting their differences but emphasizing their similarities and admiration for one another's ideas and perspectives. She spoke about his empathy and love for a great Lexington.

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Mayor Gorton noted the Celebration of Life for former Council Member Jake Gibbs would be held at the Kentucky Theatre, March 7, 2020, at 10:00 a.m. and commended the choice of venue as Mr. Gibbs was staunch supporter and patron of the theatre.

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Phillip Greg Maggard, Walnut Creek, read a statement in support of 2nd Amendment Sanctuary Cities, and submitted a copy of a signed petition entitled "Protect Kentucky 2nd Amendment from Tyrants."

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Upon motion by Ms. Mossotti, seconded by Ms. Plomin, and approved by unanimous vote, the meeting adjourned at 7:16 p.m.

Clerk of the Urban County Council