

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky October 24, 2019

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on October 24, 2019 at 6:01 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the council: J. Brown, Ellinger, Evans, Farmer, Gibbs, Kay, Lamb, McCurn, Moloney, Mossotti, Plomin, Reynolds, Worley, Bledsoe and F. Brown.

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

Ordinances No. 73-2019 through 83-2019, inclusive, and Resolutions No. 545-2019 through 576-2019, inclusive, were reported as having been signed and published and ordered to record.

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A motion was made by Mr. Worley, seconded by Mr. McCurn, and approved by unanimous vote, to amend the docket to add a presentation for the 2019 Junior Fire Chief.

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The Invocation was given by Pastor Leon Slatter of Cadentown Baptist Church.

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A motion was made by Ms. Mossotti, seconded by Ms. Lamb, and approved by unanimous vote, that Council go into closed session pursuant to KRS. 61.810(1) (f) after presentations.

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Upon motion by Mr. Ellinger, seconded by Mr. Farmer, and approved by unanimous vote, the Minutes of the October 10, 2019 Council Meeting were approved.

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Mayor Gorton asked Ms. Mossotti to join her at the podium, along with Ms. Diane Fleet, Assistant Director of Greenhouse17, and read a Proclamation declaring the month of October 2019 as Domestic Violence Awareness Month in Lexington.

Ms. Mossotti spoke of the expansion of Domestic Violence Recovery resources in Lexington and praised the workers of Greenhouse17.

Ms. Fleet thanked the Council for their continued support of and assistance to Greenhouse17 over the years. She also spoke of the many opportunities the agency's farm and Flower CSA has been able to provide.

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Mayor Gorton asked Kristin Chilton, Fire Chief, to join her at the podium, along with Abdul Alyafi, Junior Fire Chief, and read a Proclamation declaring the October 24, 2019, as Junior Fire Chief Abdul Alyafi Day in Lexington.

Chief Chilton presented Junior Fire Chief Alyafi with an award from the Lexington Fire Department and spoke about his activities during the past week with the Lexington Fire Department's Community Services Division.

Junior Fire Chief Alayfi read to the Council his essay on fire safety.

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At 6:21 p.m. Council went into closed session pursuant to KRS. 61.810(1) (f).

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At 6:28 p.m., upon motion by Mr. Ellinger, seconded by Mr. Farmer, and approved by unanimous vote, Council reconvened in open session, with the same members present.

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

Nay: -----0

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. 14.

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to reflect current requirements for funds in the amount of \$775 for the Div. of Traffic Engineering from Neighborhood Development Funds to assist with a traffic mitigation project on Bowman Mill Rd., Schedule No. 15.

An Ordinance amending Section 2-151(a) of the Code of Ordinances related to the Keep Lexington Beautiful Commission, changing the name of Bluegrass Pride to Bluegrass Greensource, correcting the name of the Dept. of Environmental Quality and Public Works, deleting two (2) members representing neighborhood associations, and increasing the number of members appointed from the community at large from three (3) members to five (5) members.

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The following ordinances received first reading and were ordered placed on file for public inspection until November 14, 2019:

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

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

An Ordinance closing a portion of Rodes Ave.; determining that the property owner abutting the portion to be closed has been identified, provided with written notice of the proposed closing, and consented thereto in writing; and authorizing the Mayor, on behalf of the Urban County Government, to execute a Quitclaim Deed transferring the former right of way to the abutting owner, subject to the reservation of easements and restrictions.

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

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re appropriating funds, Schedule No. 16.

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

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

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

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

Nay: -----0

A Resolution accepting the bid of REM Co., Inc., in the amount of \$216,950 in FY 2020, for the purchase, installation, and maintenance of six commercial washers and five commercial dryers for the Div. of Community Corrections, and authorizing the Mayor, on behalf of the Urban County Government, to execute a multi-year Maintenance Agreement with REM Co., Inc., related to the bid.

A Resolution accepting the bids of Vision Engineering, LLC, and EA Partners, PLC, establishing price contracts for General Surveying Services, for the Div. of Water Quality.

A Resolution accepting the bid of SQF, LLC, in accordance with the provisions of Ordinance No. 69-2016, creating and offering for sale a franchise for the operation of a non-exclusive telecommunications (or related non cable) system in Fayette County, and authorizing the Mayor, on behalf of the Urban County Government, to execute a Franchise Agreement with SQF, LLC, incorporating the terms and conditions of Ordinance No. 69-2016.

A Resolution ratifying the Probationary Classified Civil Service Appointments of: William Housh, Mailroom Clerk, Grade 508N, \$15.734 hourly in the Dept. of General Services, effective October 14, 2019 and Celia Moore, Grants Manager, Grade 523E, \$2,280.32 biweekly in the Div. of Grants and Special Programs, effective October 28, 2019; ratifying the Permanent Civil Service Appointments of: Erik Martinez, Accountant, Grade 516N, \$19.869 hourly in the Div. of Accounting, effective September 4, 2019 and Ashley Isom, Clerical Assistant Sr., Grade 507N, \$14.069 hourly in the Div. of Accounting,

effective October 1, 2019; ratifying the Permanent Sworn Appointment of: Christopher Sizemore, Police Sergeant, Grade 315N, \$32.408 hourly in the Div. of Police, effective September 18, 2019; ratifying the Unclassified Civil Service appointments of: Adam Daugherty, Treatment Plant Operator Apprentice I, Grade 510N, \$16.372 hourly in the Div. of Water Quality, effective October 14, 2019, and Sarah Pigg, Extended School Program Coordinator, Grade 516E, \$1,600.32 biweekly in the Div. of Parks and Recreation, effective October 21, 2019, and ratifying the Classified Civil Service Council leaves of: Robert Williams, Network Systems Administrator, Grade 520E, \$2,481.20 biweekly in the Div. of Computer Services, effective from September 13, 2019 through December 11, 2019, and Jay Rice, Public Service Worker, Grade 507N, \$12.893 hourly in the Div. of Waste Management, effective October 7, 2019 through January 4, 2020.

A Resolution designating the speed limit on Cooper Dr., from Tates Creek Rd. to Chinoe Rd. as 25 miles per hour, and authorizing and directing the Div. of Traffic Engineering to install proper and appropriate signs in accordance with the designation.

A Resolution assigning the economic incentive previously granted to Galmont Consulting, LLC, pursuant to Resolution 665-2010 to Trissential, LLC, or its successors in interest or affiliates as may be approved by the Ky. Economic Development Finance Authority.

A Resolution establishing Adapt Pharma, as a sole source provider of nasal Narcan for the Comprehensive Opioid Abuse Site Based Program, for the Div. of Fire and Emergency Services and authorizing the Mayor or her designee, on behalf of the Urban County Government, to execute any necessary Agreements with Adapt Pharma, related to the procurement of these goods, at a cost not to exceed \$64,425.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with the Children's Advocacy Center of the Bluegrass, for extended hours of operation, at a cost not to exceed \$50,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Renewal Agreement with ACL Services, Ltd. d/b/a Galvanize, for the ACL Robotics Professional Platform Solution, for the Office of Internal Audit, at a cost not to exceed \$6,107.36 in FY 2020.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Grant Agreement with the Ky. 911 Services Board, extending the Period of Performance through June 30, 2020.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Robert Wood Johnson Foundation and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$500,000, and are for an evaluation of the impact and design of the Lexington Fire Dept.'s Community Paramedicine Program.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a modification to the Agreement with the Ky. Dept. of Military Affairs, Div. of Emergency Management, extending the period of performance through September 30, 2020, under the Chemical Stockpile Emergency Preparedness Program (CSEPP) for FY 2016.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a modification to the Agreement with the Ky. Dept. of Military Affairs, Div. of Emergency Management, extending the period of performance through September 30, 2020, under the Chemical Stockpile Emergency Preparedness Program (CSEPP) for FY 2017 and FY 2018.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from LTA Projects of a Light Tower, for use at the Div. of Fire and Emergency Services.

A Resolution authorizing the Div. of Waste Management, on behalf of the Urban County Government, to purchase transportation and reuse of recycled glass, from Strategic Materials, a sole source provider.

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Neighborhood Action Match Grant Program Contracts with Cumberland Hill Neighborhood Association (\$3,800) for the purpose of carrying out various neighborhood activities and improvements for FY 2020, at a cost not to exceed \$3,800 received first reading.

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

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

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

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 Kentucky Energy and Environment Cabinet, and to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$156,910.42 Commonwealth of Kentucky funds, and are for the continuation of the Litter Abatement Grant Funding Program for FY 2020, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget received first reading.

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

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

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

Nay: -----0

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A Resolution accepting the bid of Mr. Bult's, Inc., establishing a price contract for Transportation of Leaf and Yard Waste, for the Div. of Waste Management received first reading.

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

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

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

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: Christopher Parker, GIS Analyst, Grade 516N, \$24.000 hourly in the Div. of Computer Services, effective November 4, 2019, Christopher Smith, Maintenance Mechanic, Grade 515N, \$19.314 hourly in the Div. of Water Quality, effective November 11, 2019, Benjamin Cotton, Laboratory Technician, Grade 513N, \$17.717 hourly in the Div. of Water Quality, effective November 11, 2019, Austin Madry, Resource Recovery Operator, Grade 513N, \$19.038 hourly in the Div. of Waste Management, effective upon passage of Council, Robert Hedger, Resource Recovery Operator, Grade 513N, \$17.220 hourly in the Div. of Waste Management, effective upon passage of Council and Nicholas Cox, Heavy Equipment Technician, Grade 518N, \$22.304 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: Jason Chapman, Michael Ferrell, Michael Grapner, Andrew Grigsby, Lashawna Hall, Brooklyn Hedger, Christina Honorat, Reza Jalali, Evan Kyle, Seth Massie, Richard Robinson, Shamece Russell, Ashley Stanfield, Zoe Taylor, Shanda Graham, Sean McStay, Shadda Barber, Jeff Jacobs, Heather Bryant, and Kennedy Conley, all Community Corrections Officer Recruit, Grade 109N, \$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: Adrian Roman, Skilled Trades Worker P/T, Grade 515N, \$19.925 hourly in the Div. of Community Corrections, effective November 11, 2019 received first reading.

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

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

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

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. One (1) to the Agreement with Cincinnati Floor Co., for the Charles Young Center - Gymnasium Floor Replacement, extending the construction schedule by three (3) calendar days and increasing the Contract price by the sum \$4,941 from \$70,313 to \$75,254 received first reading.

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

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

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

Nay: -----0

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A Resolution authorizing and directing the Dept. of Finance, to designate a fund for the maintenance of baseball/softball parks to be funded by the baseball/softball league maintenance fee, appropriated pursuant to the Agreements adopted by Resolution 74 2019 received first reading.

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

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

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

Nay: -----0

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The following resolutions received first reading and were ordered placed on file for public inspection until November 14, 2019:

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

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the U.S. Dept. of Justice, which Grant funds are in the amount of \$9,477 Federal funds under the 2018 State Criminal Alien Assistance Program (SCAAP), are for reimbursement of costs related to the incarceration of undocumented criminal aliens, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencum-bered funds within the Grant budget.

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

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Amendment No. Two (2) to the Agreement with Bluegrass Area Development District, increasing Federal funding in the amount of \$1,348, for operation of the Lexington Senior Center for FY 2020.

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

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

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

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

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

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

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

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

A Resolution accepting the bid of Smith Contractors, Inc., in the amount of \$3,188,500, for the Sharon Village Pump Station Project, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Smith Contractors, Inc., related to the bid.

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

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

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

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

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

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Lady Veterans Connect, Inc. (\$750.00), for the Office of the Urban County Council, at a cost not to exceed the sum stated.

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

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

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

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

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

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the FM Global Fire Prevention Grant Program, and to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$4,550, and are for the purchase of seven (7) Canon Rebel T7 cameras and lenses for the Fire Investigations Bureau, the acceptance of which does not obligate the Urban County Government for the expenditure of funds and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to Ky. American Water, and to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$500, under the 2019 Fire Fighting Support Grant, and are for the purchase of Personal Protective Equipment for the Div. of Fire and Emergency Services, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Lexington Fayette County Health Dept., for the provision of training and dispensing Naloxone to First Responders and community members, for the First Responders and Community Partners Overdose Prevention Program, at a cost not to exceed \$270,000.

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

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

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

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

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

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

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 1 with the Ky. Transportation Cabinet, Office of Local Programs Transportation Alternatives Program, for the

acceptance of additional Federal funds in the amount of \$208,000 for the Construction Phase of the Todds Rd. Sidewalk Project, the acceptance of which obligates the Urban County Government for the expenditure of \$52,000 as a local match.

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

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

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Upon motion by Mr. Farmer, and seconded by Mr. Ellinger, the Communications from the Mayor were approved by majority vote (Mr. J. Brown abstained) and were as follows: (1) Recommending the reappointments of Mr. Garyen Denning and Mr. Don Mosier to the Airport Board both with terms of December 31, 2019 to December 31, 2023; (2) Recommending the reappointments of Mr. Lewis Brown, Area Resident, and Ms. Anne Greene, Area Resident, to the Black & Williams Neighborhood Community Center Board with terms of November 19, 2019 to November 19, 2023 and October 22, 2019 to October 22, 2023, respectively; (3) Recommending the appointment of Ms. Melissa Sedlaczek to the Bluegrass Crime Stoppers with a term of October 24, 2019 to October 24, 2023; (4) Recommending the reappointment of Dr. Mamata Majmundar, Licensed Physician, to the Board of Health with a term of June 30, 2019 to June 30, 2021; (5) Recommending the appointment of Mr. Robert Rouse, Home Builder Representative, to the Vacant Property Review Commission, filling an unexpired term, with a term of October 24, 2019 to January 1, 2020; and (6) Recommending the reappointment of David Lowe to the Water Quality Fees Board with a term of November 19, 2019 to November 19, 2023.

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

(1) Classified Civil Service Temporary Appointment of Michael Vaught, Fleet Operations Manager, Grade 521E, \$2,361.36 biweekly in the Div. of Facilities and Fleet Management, effective October 14, 2019.

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Commander Pape, Div. of Police, presented a disciplinary matter regarding Sergeant Jervis Middleton. It is alleged that Sergeant Jervis Middleton has committed the offense of Misconduct in violation of KRS 95.450 and General Order 1973-02J Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.02 – Misconduct in that on the Various days of February through August 2018, he allegedly:

- (1) During the referenced time period, Sergeant Middleton contacted numerous officers to check on residence and determine if there were vehicles in the driveway.
- (2) During the referenced time period, officers were requested by Sergeant Middleton to query license plate information about vehicles which were observed at the residence.
- (3) When requesting officers check on the residence or provide information derived from the license plates of the vehicles observed, Sgt. Middleton did not disclose to the officers any reason for his requests. Middleton failed to follow Departmental policy before requesting additional patrol activities causing uncertainty for those officers performing his requests.

Sgt. Middleton's failure to disclose the purpose for his requests or follow Departmental policy regarding additional patrol activities, brought discredit to himself as a law enforcement supervisor and the Lexington Police Department, and impaired the operation and efficiency of not only the Department, but individual officers.

The appropriate punishment for this conduct is Demotion to the rank of Officer.

Upon motion by Mr. Ellinger, seconded by Mr. J. Brown and approved by majority vote (Mr. Farmer voted no and Ms. Evans recused), the disciplinary recommendation was approved.

Mr. Farmer asked about disciplines of other similar offenses. Commander Pape responded.

Ms. Evans stated that she previously had recused from this matter.

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Chief Kristin Chilton, Div. of Fire and Emergency Services, presented a disciplinary action regarding Firefighter Justin May. It is alleged that Firefighter Justin May has committed the offense of DUI and endangering the welfare of a minor in violations 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 48 hour suspension.

Upon motion by Mr. Ellinger, seconded by Mr. Worley, approval of the disciplinary action failed by the following vote:

Aye: Ellinger, Evans, McCurn, Worley, -----4

Nay: J. Brown, Farmer, Gibbs, Kay, Lamb, -----11
Moloney, Mossotti, Plomin, Reynolds,
Bledsoe, F. Brown

The disciplinary matter was sent back to Lexington-Fayette Urban County Division of Fire.

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Mr. J. Brown announced Lexington's hosting of the Kentucky Black Caucus of Local Elected Officials Fall Retreat held October 24, and 25, 2019 and thanked the Mayor for speaking at the event. He spoke of the powerful speech given by the retreat's lunch keynote speaker, Sadiqua Reynolds, of the Urban League of Young Professionals.

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Ms. Evans thanked the Mayor for speaking at the meeting the 6th Districtwide meeting and expressed her gratitude for the crowd turnout. She spoke of the entertaining presentation and information on the upcoming census provided by Ms. Leslie Rodgers, U.S. Census Bureau.

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Ms. Reynolds thanked Mayor Gorton, Council Members Moloney and Lamb, Commissioners Armstrong and Ford as well as the many others who attended the Family Care Center's 30th anniversary celebration.

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Upon motion by Ms. Plomin, seconded by Ms. Mossotti, and approved by unanimous vote, the meeting adjourned at 7:06 p.m.

Deputy Clerk of the Urban County Council