

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky October 25, 2018

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on October 25, 2018 at 6:02 p.m. Present were Mayor Gray in the chair presiding, and the following members of the council: Farmer, Gibbs, Henson, Kay, Lamb, Moloney, Plomin, Smith, Worley, Bledsoe, F. Brown, and J. Brown. Absent were Council Members Evans, Mossotti, and Stinnett.

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

Ordinances No. 72-2018 through 76-2018, inclusive, and Resolutions No. 591-2018 through 614-2018, inclusive, were reported as having been signed and published and ordered to record.

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky October 25, 2018

The Invocation was given by Rev. Prentice Bruton of Evergreen Missionary Baptist Church.

\* \* \*

Upon motion by Mr. Farmer, seconded by Ms. Henson, and approved by unanimous vote, the Minutes of the October 11, 2018 Council Meeting were approved.

\* \* \*

Mayor Gray asked Mr. J. Brown to join him at the podium, along with Ms. Tawanda Owsley, of the Red Cross, to present the Lexington Division of Fire and Emergency Services with an award for their help installing smoke alarms and making homes safer in Lexington. Ms. Owsley described the lifesaving effect of having working smoke alarms installed in homes.

\* \* \*

Mayor Gray asked State Senator Alice Forgy Kerr, along with Mr. J.D. Chaney and Ms. Bryanna Carroll from the Kentucky League of Cities, to join him at the podium to present Senator Kerr with the 2018 Friend of Kentucky Cities award from KLC. Mr. Chaney talked about the work of Senator Kerr and the several committees on which she serves. Senator Kerr thanked the KLC, the Council, and the Mayor for this recognition.

\* \* \*

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

Aye: Farmer, Gibbs, Henson, Kay, Lamb, Moloney, -----12  
Plomin, Smith, Worley, Bledsoe, F. Brown,  
J. 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. 10.

An Ordinance amending the Unclassified Civil Service authorized strength by creating one (1) position of Family Support Worker, Grade 511N, in the Div. of Family Services, effective upon passage of Council.

An Ordinance amending section 18C-13(3)(j) of the Code of Ordinances related to membership of the EMAB Board to change the membership requirements from two members of Div. of Fire and Emergency Services to one member appointed by the Chief; an Ordinance creating Section 18c-13(3)(n) for the Code of Ordinances related to membership of the EMAB Board to provide for membership of the Paramedic Program Director.

\* \* \*

An Ordinance amending Article 12-3 and 12-8(B) of the Zoning Ordinance to permit hotels and extended-stay hotels as principal permitted uses in the B-6P zone. (Justice Plaza, LLC) was on the docket for first reading.

Mayor Gray invited Ms. Amy Clark, Kastle Rd., to make public comment out of order and Ms. Clark spoke about the planning report.

The ordinance was given first reading and were ordered placed on file for public inspection until November 1, 2018.

Ms. Lamb requested Commissioner Derek Paulson, Dept. of Planning, Preservation and Development to investigate Ms. Clark's concerns and report back to the Council. Comm. Paulson responded.

Ms. Henson spoke about the planned presentation on this matter scheduled for Tuesday, October 30, 2018.

\* \* \*

The following ordinances received first reading and were ordered placed on file for public inspection until November 1, 2018:

An Ordinance amending section 14-62 of the Lexington Fayette County Code of Ordinances to permit alcoholic beverages to be possessed, delivered, and consumed in any park or park facility with the written permission of the Director of the Div. of Parks and Recreation.

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 2019.

An Ordinance changing the zone from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone, for 0.14 net (0.18 gross) acre, for property located at 521-523 S. Upper St. (525 Upper, LLC; Council District 3).

An Ordinance changing the zone from a Community Center (B-6P) zone to a Wholesale and Warehouse Business (B-4) zone, for 3.88 net (4.10 gross) acres, for property located at 133 N. Locust Hill Dr. (Citadel Storage Partners II, LP; Council District 7).

An Ordinance changing the zone from a Single Family Residential (R-1D) zone to a Planned Neighborhood Residential (R-3) zone, for 12.58 net (13.83 gross) acres, for property located at 2826 Leestown Rd. (Lees 2826, LLC; Council District 2).

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and reappropriating funds, Schedule No. 11.

\* \* \*

Ms. Evans arrived at the meeting.

\* \* \*

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

Aye: Evans, Farmer, Gibbs, Henson, Kay, Lamb, -----13  
Moloney, Plomin, Smith, Worley, Bledsoe,  
F. Brown, J. Brown

Nay: -----0

A Resolution accepting the bid of Ziegler Tire & Supply Co., Inc. and S & S Firestone, Inc., establishing a price contract for Tire Retreading, for the Div. of Facilities and Fleet Management.

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

A Resolution ratifying the Probationary Classified Civil Service Appointments of: Faye Clark, Accountant Sr., Grade 520E, \$2,083.52 biweekly in the Div. of Accounting, effective October 15, 2018, Charlene Ptasnik, Administrative Specialist, Grade 513N, \$17.189 hourly in the Div. of Revenue, effective October 15, 2018, Mathew Gdowski, Software Developer, Grade 520E, \$1,919.20 biweekly in the Div. of Computer Services, effective October 15, 2018, Robert Allen, Director of Streets and Roads, Grade 533E, \$3,823.85 biweekly in the Div. of Streets and Roads, effective October 29, 2018, Rebecca Arledge, Project Manager, Grade 517E, \$1,990.56 biweekly in the Div. of Water Quality, effective October 15, 2018, Vincent Davis, Equipment Operator Sr., Grade 512N, \$18.157 hourly in the Div. of Water Quality, effective October 29, 2018, Ashley Beasley, Maintenance Mechanic, Grade 515N, \$18.797 hourly in the Div. of Water Quality, effective October 29, 2018, Edward Catron, Security Officer, Grade 507N, \$14.207 hourly in the Dept. of Public Safety, effective October 15, 2018, Vanna Armstrong, Family Services Center Manager, Grade 524E, \$2,454.08 biweekly in the Div. of Family Services, effective October 29, 2018; ratifying the following Permanent Classified Civil Service Appointments: Dani'EL Wood-Jenkins, Engineering Technician, Grade 514N, \$21.601 hourly in the Div. of Traffic Engineering, effective September 19, 2018 and Alana Morton, Administrative Specialist Sr., Grade 516N, \$19.737 hourly in the Div. of Human Resources, effective October 2, 2018, and ratifying the following Classified Civil Service Council leave of: Lavonte Kimbro, Administrative Specialist, Grade 513N, \$18.399 hourly in the Div. of Revenue, effective November 12, 2018 through January 6, 2019.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the United States Dept. of Justice and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$42,100 Federal funds under the 2018 State Criminal Alien Assistance Program (SCAAP), and are for reimbursement of costs related to the incarceration of undocumented criminal aliens.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an amended Memorandum of Understanding with Ky. National Guard Counterdrug Task Force, for amendment of Resolution 46-2018 for the National Guard Task Force to provide airmen or soldier(s) for support.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with Hope Center, for the operation of the Men's Emergency Homeless Shelter, at a cost not to exceed \$1,000,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the United States Dept. of Homeland Security, which Grant funds are in the amount of \$71,819 Federal funds, under the 2017 Assistance to Firefighters Grant Program, are for the purchase of equipment for the Self Contained Breathing Apparatus (SCBAs), and the acceptance of which obligates the Urban County Government for the expenditure of \$7,181 as a local match, 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 Change Order No. 5 to the Agreement with Hazen & Sawyer, P.S.C., for Sanitary Sewer Assessment Reports and Sanitary Sewer and Waste Water Treatment Plant Remedial Measures Plans for Consent Decree Implementation, increasing the Contract price by the sum of \$900,000.00, from \$7,011,145.95 to \$7,911,145.95, and extending the Contract through October 31, 2019.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 4 (final) to the Agreement with Judy Construction Co., for the Lower Cane Run Wet Weather Storage Facility Project, decreasing the Contract price by the sum of \$700,259.43, from \$12,078,360.00 to \$11,378,100.57, and extending the date of completion by one hundred and twenty-two (122) days.

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, 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 \$152,750 Commonwealth of Ky. funds, and are for the continuation of the Litter Abatement Grant Funding Program for FY 2019, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing the Div. of Water Quality, on behalf of the Urban County Government, to purchase Supervisory Control and Data Acquisition (SCADA)

Citect/Historian Support Services for the Town Branch and West Hickman Waste Water Treatment Plants and Pump Stations, from Advantage Industrial Automation, Inc., a sole source provider, at a cost not to exceed \$42,473.75.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Office of Homeland Security, which Grant funds are in the amount of \$300,000 Federal funds, under the 2018 State Homeland Security Grant Program, are for the purchase of a Critical Incident Tactical Intervention Vehicle for the Emergency Response Unit for the Div. of Police, 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 a Grant from the Ky. Office of Homeland Security, which Grant funds are in the amount of \$60,000 Federal funds, under the 2018 State Homeland Security Grant Program, are for the cost of training for the Bomb Squad in the Div. of Police and the other Ky. Bomb Squads, 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 a Lease Extension Agreement with LexArts, Inc., to extend the term of LexArts' Lease of 161 North Mill Street by a period of six (6) months under the same terms and conditions previously existing.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an amended Memorandum of Agreement with Ky. Community and Technical College System on behalf of Bluegrass Community and Technical College for amendment of Resolution 507-2018 for awarding of additional certificates.

A Resolution authorizing 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, for extension of the performance period through September 30, 2019 for the Chemical Stockpile Emergency Preparedness Program (CSEPP) for FY 2016, at no additional cost to the Urban County Government.

A Resolution authorizing 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, for extension of the performance period through September 30, 2019 for the Chemical Stockpile Emergency Preparedness Program (CSEPP) for FY 2017, at no additional 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 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 2018 Assistance to Firefighters Grant program, and are for the replacement and/or purchase of 226 Self Contained Breathing Apparatus (SCBAs).

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute all documents necessary to accept an easement for the relocation of an existing wayfinding sign at 2100 Nicholasville Rd., at no cost to the Urban County Government.

\* \* \*

A Resolution reassigning the economic incentive granted to Ashland, Inc., by Resolution 465-2014 to Valvoline, LLC, or its successors or affiliates as may be approved by the Ky. Economic Development Finance Authority received first reading.

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

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

Aye: Evans, Farmer, Gibbs, Henson, Kay, Lamb, -----13  
Moloney, Plomin, Smith, Worley, Bledsoe,  
F. Brown, J. Brown

Nay: -----0

\* \* \*

A Resolution reassigning the economic incentive granted to Creative Lodgings Solutions, LLC, by Resolution 579-2014 to Fleetcor Technologies Operation Co., LLC, or its successors or affiliates as may be approved by the Ky. Economic Development Finance Authority received first reading.



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

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

Aye: Evans, Farmer, Gibbs, Henson, Kay, Lamb, -----13  
Moloney, Plomin, Smith, Worley, Bledsoe,  
F. Brown, J. Brown

Nay: -----0

\* \* \*

A Resolution accepting the bids of Vulcan, Inc.; Lightle Enterprises of Ohio, LLC; and H. Ray Co., establishing Price Contracts for Traffic Signs, for the Div. of Traffic Engineering received first reading.

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

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

Aye: Evans, Farmer, Gibbs, Henson, Kay, Lamb, -----13  
Moloney, Plomin, Smith, Worley, Bledsoe, F.  
Brown, J. Brown

Nay: -----0

\* \* \*

A Resolution accepting the bid of Link Electric Co., Inc., in the amount of \$154,340, for the DAC Blackbox Theater Lighting and Controls, for the Div. of Facilities and Fleet Management, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Link Electric Co., Inc., related to the bid 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 Ms. Henson, and seconded by Ms. Plomin, the resolution was approved by the following vote:

Aye: Evans, Farmer, Gibbs, Henson, Kay, Lamb, -----13  
Moloney, Plomin, Smith, Worley, Bledsoe,  
F. Brown, J. Brown

Nay: -----0

\* \* \*

A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Classified Civil Service Appointments: Wilson Retana Valencia, Equipment Operator Sr., Grade 512N, \$16.562 hourly in the Div. of Streets and Roads, effective November 12, 2018, David Conrad, Public Service Worker Sr., Grade 509N, \$14.074 hourly in the Div. of Streets and Roads, effective November 12, 2018, James Begley, Public Service Worker Sr., Grade 509N, \$14.752 hourly in the Div. of Streets and Roads, and Dereke Soaper, Public Service Worker Sr., Grade 509N, \$14.261 hourly in the Div. of Streets and Roads, effective November 12, 2018; and authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Community Corrections Officer Appointments: Conner Cleary, Wendy Bebe, Phillip Wright, Crystal Underwood, Juanita Ballard, Hannah Brown, Kennedy Crosby, Mark Riffle, Connie McCarty, Olivia Day, Harold Inoue, Daniel Prater, all Community Corrections Officer Recruit, Grade 110N, \$15.384 hourly in the Div. of Community Corrections, effective upon passage of Council; and authorizing the Div. of Human Resources to make a conditional offer to the following Unclassified Civil Service Appointments: Donald Randolph, Treatment Plant Operator Apprentice, Grade 509N, \$14.495 hourly in the Div. of Water Quality, effective October 29, 2018 and Shawna Clemons, HANDS Nurse, Grade 514N, \$23.077 hourly in the Div. of Family Services, effective November 25, 2018 received first reading.

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

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

Aye: Evans, Farmer, Gibbs, Henson, Kay, Lamb, -----13  
 Moloney, Plomin, Smith, Worley, Bledsoe,  
 F. Brown, J. Brown

Nay: -----0

\* \* \*

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Local Records Branch of the Ky. Dept. for Libraries and Archives and to provide any additional information

requested in connection with this Grant Application, which Grant funds are in the amount of \$11,670 Commonwealth of Ky. funds, and are for the codification of LFUCG's Zoning Ordinance on an online platform received first reading.

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

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

Aye: Evans, Farmer, Gibbs, Henson, Kay, Lamb, -----13  
Moloney, Plomin, Smith, Worley, Bledsoe,  
F. Brown, J. Brown

Nay: -----0

\* \* \*

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute any documents necessary and accept deeds for property interests needed for the West Hickman Trunk Sewer D Project, at a total cost not to exceed \$28,367.17 received first reading.

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

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

Aye: Evans, Farmer, Gibbs, Henson, Kay, Lamb, -----13  
Moloney, Plomin, Smith, Worley, Bledsoe,  
F. Brown, J. Brown

Nay: -----0

\* \* \*

The following resolutions received first reading and were ordered placed on file for public inspection until November 1, 2018:

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Liturgical Publications, Inc. (LPI) for design layout and printing of the Lexington Senior Center Monthly Newsletter, at no cost to the Urban County Government.

A Resolution accepting the response of Commonwealth Inspection Bureau, Inc., to RFP No. 28-2018 for the provision of electrical inspection services for the Div. of

Building Inspection, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Commonwealth Inspection Bureau, Inc., related to the RFP.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Deed of Temporary Easement, granting Columbia Gas of Ky., Inc., a temporary construction easement upon the property located at 469 Parkway Dr.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a multi-year lease Agreement with Xerox Corporation LTD., for upgrades to the D125CP printer, including equipment, supplies, and maintenance services, at a cost not to exceed \$12,257.73, with a per copy charge of \$0.0064 (total estimate of \$8,500.00 for one fiscal year) billable on a monthly basis.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Electronic Recovery and Access to Data (ERAD) Group, LLC, for examination of data on gift cards.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Volunteer Income Tax Assistance/Tax Counseling for the Elderly (VITA/TCE) Partner Sponsor Agreement and an Internal Revenue Service Civil Rights Assurance, for provision of a Volunteer Income Tax Assistance Program at the Charles Young Center, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a multi-year True Lease Schedule with Dell Financial Services, LLC, pursuant to Master Lease Agreement No. 6705564-007, for the lease of desktop computers for the Urban County Government, at an estimated cost not to exceed \$89,757.33.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept deeds of easement and to execute any documents necessary for the acquisition of right-of-way, to facilitate construction of the Town Branch Trail Mid-Block Crossing Project, at a cost not to exceed \$106,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement and a Vehicle Lease Agreement with Lexington-Fayette Animal Care and Control, LLC, for animal control services, at a cost not to exceed \$1,485,200.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant to Gardenside Neighborhood Association, Inc., for stormwater quality projects, at a cost not to exceed \$4,975.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a three year Service Agreement with On-Site Rx, Inc., to provide pharmacy services at the Dr. Samuel Brown Health Center at a cost of \$9.56 per member per month for year one, \$9.80 per member per month for year two and \$10.04 per member per month for year three, effective upon passage of Council.

A Resolution accepting the bid of Amteck of Ky., LLC d/b/a Amteck, establishing a price contract for Outdoor Warning Sirens, for the Div. of Emergency Management/911.

A Resolution accepting the bid of Robinson Pipe Cleaning Co., establishing a price contract for the annual Sanitary Sewer Cleaning and Inspection, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Robinson Pipe Cleaning Co., related to the bid.

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

Resolution accepting the bid of C3 Mechanical, LLC, in the amount of \$222,888, for the West Hickman WWTP Solids Processing Building Boiler Plant Replacement, for the Div. of Water Quality, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with C3 Mechanical, LLC, related to the bid.

A Resolution accepting the bids of L-M Asphalt Partners, LTD d/b/a ATS Construction; Bluegrass Contracting Company; Gooch Construction, Inc.; Rio Grande Fence Company; Sensabaugh Design & Construction Company; The Allen Company, Inc.; Tom Chesnut Excavation & Construction, LLC; and ZKB Services, LLC, establishing Construction Unit Price Contracts, for the Division of Engineering and authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with each of these entities, related to the bid.

A Resolution ratifying the Probationary Classified Civil Service Appointments of: Caleb Hubbard, Customer Service Supervisor, Grade 515E, \$1,532.40 biweekly in the

Div. of Government Communications, effective November 12, 2018, Michael Miller, Administrative Specialist, Grade 513N, \$19.439 hourly in the Div. of Accounting, effective November 12, 2018, Andre Ingram, Equipment Operator, Grade 510N, \$15.625 hourly in the Div. of Water Quality, effective October 29, 2018 and Gregory Buzzard, Equipment Operator Sr., Grade 512N, \$16.657 hourly in the Div. of Water Quality, effective October 29, 2018; ratifying the following Permanent Classified Civil Service Appointments: Michele King, Customer Service Specialist, Grade 510N, \$14.733 hourly in the Div. of Government Communications, effective October 2, 2018, Chenice Ganns, Public Service Worker Sr., Grade 509N, \$14.354 hourly in the Div. of Streets and Roads, effective October 23, 2018, Jordan Napier, Public Service Worker Sr., Grade 509N, \$14.132 hourly in the Div. of Streets and Roads, effective October 23, 2018, Sean McStay, Resource Recovery Operator, Grade 513N, \$17.248 hourly in the Div. of Waste Management, effective October 2, 2018, and Felicia Arms, Administrative Specialist Sr., Grade 516N, \$20.290 hourly in the Div. of Traffic Engineering, effective October 2, 2018; ratifying the following Unclassified Civil Service Appointment of: Geoffrey Reed, Commissioner of General Services, Grade 536E, \$5,094.16 biweekly in the General Services Commissioner's Office, effective October 29, 2018, and ratifying the following Classified Civil Service Council leave of: Timothy Burnett, Resource Recovery Operator, Grade 513N, \$22.392 hourly in the Div. of Waste Management, effective August 14, 2018 through November 11, 2018.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with Woodall Construction Co., Inc., for the Wellington Stormwater Basin A Improvements Project, increasing the Contract price by the sum of \$4,200.00, from \$173,489.30 to \$177,689.30.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the agreement with Woodall Construction Co., Inc., for the Fleet Management Water Quality Improvements Project, increasing the contract price by the sum of \$8,095.60, from \$130,609.14 to \$138,704.74.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Fleet Service Agreement with Autocar, LLC, to allow the Urban County

Government to perform warranty repairs on its Autocar ACX trucks, for which Autocar, LLC, will provide support and reimbursement.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Contract with the Fayette County Board of Education for use of the Norsworthy Auditorium for the Parks and Recreation Kiddie Kapers Program, at a cost not to exceed \$1,136.70.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from Drug Free Lex, which Grant funds are in the amount of \$2,000, are for Drug and Alcohol Awareness Trainings for members of International Community Members, 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 a Grant from the United States Dept. of Health and Human Services, which Grant funds are in the amount of \$469,884 Federal funds, under The First Responders - Comprehensive Addiction and Recovery Act Program, are for the creation of a project to help reduce Opioid Overdose Fatalities, 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 a Grant from the United States Dept. of Justice, which Grant funds are in the amount of \$500,000 Federal funds, under the Comprehensive Opioid Abuse Site-Based Program, are for the facilitation of access to substance abuse treatment services for individuals experiencing non-fatal overdoses, 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 a Grant from the Dept. of Health and Human Services, Administration for Community Living, passed through the University of Ky. Wellness Edge Program, which Grant funds are in the amount of \$15,765 Federal funds, are for the purchase of adaptive recreation equipment for the Div. of Parks and Recreation, 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 approving the granting of an inducement to Aventics Corporation, or its successor or affiliate, pursuant to the Ky. Business Investment Act (KRS Subchapter 154.32), whereby the Lexington-Fayette Urban County Government agrees to rebate annually one percent (1%) of the company's occupational license fees for a term of no longer than five (5) years from the activation date, subject to the limitations contained in the Act and any Agreement with the Ky. Economic Development Finance Authority or the Urban County Government related to the project, and taking other related action.

A Resolution approving the granting of an inducement to Webasto Roof Systems, Inc., or its successor or affiliate, pursuant to the Ky. Business Investment Act (KRS Subchapter 154.32), whereby the Lexington-Fayette Urban County Government agrees to rebate annually one percent (1%) of the Co.'s occupational license fees for a term of no longer than ten (10) years from the activation date, subject to the limitations contained in the Act and any Agreement the Ky. Economic Development Finance Authority or the Urban County Government related to the project, and taking other related action.

A Resolution approving the granting of an inducement to Tiffany and Co. Jewelers, Inc., or its successor or affiliate, pursuant to the Ky. Business Investment Act (KRS Subchapter 154.32), whereby the Lexington-Fayette Urban County Government agrees to rebate annually one percent (1%) of the company's occupational license fees for a term of no longer than ten (10) years from the activation date, subject to the limitations contained in the Act and any Agreement with the Ky. Economic Development Finance Authority or the Urban County Government related to the project, and taking other related action.

A Resolution approving the granting of an inducement to Xooker, LLC, or its successor or affiliate, pursuant to the Ky. Business Investment Act (KRS Subchapter 154.32), whereby the Lexington-Fayette Urban County Government agrees to rebate annually one percent (1%) of the Company's occupational license fees for a term of no longer than ten (10) years from the activation date, subject to the limitations contained in



the Act and any Agreement with the Ky. Economic Development Finance Authority or the Urban County Government related to the project, and taking other related action.

A Resolution approving the granting of an inducement to Tru-Tone Finishing, Inc., or its successor or affiliate, pursuant to the Ky. Business Investment Act (KRS Subchapter 154.32), whereby the Lexington-Fayette Urban County Government agrees to rebate annually one percent (1%) of the company's occupational license fees for a term of no longer than ten (10) years from the activation date, subject to the limitations contained in the Act and any Agreement with the Ky. Economic Development Finance Authority or the Urban County Government related to the project, and taking other related action.

A Resolution approving the Granting of an inducement to Zivo, Inc., d/b/a Zelios, or its successor or affiliate, pursuant to the Ky. Business Investment Act (KRS Subchapter 154.32), whereby the Lexington-Fayette Urban County Government agrees to rebate annually one percent (1%) of the Company's occupational license fees for a term of no longer than ten (10) years from the activation date, subject to the limitations contained in the Act and any Agreement with the Ky. Economic Development Finance Authority or the Urban County Government related to the project, and taking other related action.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant to Meadowthorpe Neighborhood Association, Inc., for stormwater quality projects, at a cost not to exceed \$8,701.

A Resolution establishing Anritsu Americas Sales, Inc., as a sole source provider of Radio System Service monitors, for the Div. of Enhanced 911 and authorizing the Mayor or his designee, on behalf of the Urban County Government, to execute any necessary Agreements with Anritsu Americas Sales, Inc., related to the procurement of these goods and services.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Consumer Product Safety Commission, which Grant funds are in the amount of \$2,500, are for the purchase of Fire Safety and Prevention campaign supplies, 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 Neighborhood Action Match Grant Program Contracts with Copperfield Neighborhood Association (\$4,916), Historic Woodward Heights Neighborhood Association (\$3,648), Joyland Neighborhood Association (\$2,664), Martin Luther King Neighborhood Association (\$10,000), and Walnut Ridge Homeowners Association (\$5,304) for the purpose of carrying out various neighborhood activities and improvements for FY 2019, at a cost not to exceed \$26,532.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Lexington Center Corporation, for the Martin Luther King, Jr. Day Celebration, at a cost not to exceed \$9,000.

A Resolution amending Appendix A - Rules and Procedures of the Lexington-Fayette Urban County Council by creating a Statement of Purpose; amending Section 1.101 to clarify the administrative duties of the Vice-Mayor to include the supervision of the Council Administrator, overseeing the office space of the Council, and notifying Council Members of opportunities to serve on certain Request for Proposals (RFP) Committees; amending Section 1.02 to clarify the administrative duties of the Council Administrator, Aides to Council, and the Citizens' Advocate; deleting and reserving Section 1.104; amending Section 1.105 to streamline the travel and expense procedures for all officers, employees, and appointees of the Council Office; amending Section 1.201 to include masculine and feminine pronouns; amending Section 1.203 to provide guidelines for the use of official stationery; amending Section 1.204 to streamline the travel and expense reporting procedures for Council Members; deleting Sections 1.301, 1.302, 1.303, and 1.304 to remove reference to the Internal Audit Unit and reserving the section numbers; amending Section 2.101 to provide a procedure for electing the Chairperson of a Committee in the event of a tie vote; amending Section 2.102 correcting the names of Standing Committees and clarifying the tasks assigned to each Standing Committee; amending Section 2.103 to clarify the appointment process and the meeting requirements for Ad Hoc Committees; amending Section 2.104 to clarify the staffing and meeting requirements for Subcommittees of Standing Committees; amending Section 2.105 to clarify the duties, quorum requirements, and budgetary tasks assigned to the Committee of the Whole and Link Committees; amending Section 2.107 to clarify the

confirmation process for Department Commissioners and to create requirements for the delivery of information to the Urban County Council prior to the confirmation of various appointments; amending Section 2.108 to correct clerical errors; amending Section 2.202 to include the meeting requirements for Standing Committees; amending Section 2.203 to clarify the attendance requirements for Councilmembers and include masculine and feminine pronouns; amending Section 2.204 to provide that the Chair of a Standing Committee may refer items directly to his or her Committee; amending Section 2.205 to clarify the contents of Committee Reports; amending Section 2.206 to streamline the requirements for the submission of materials for Committee Presentations; amending Section 3.102 changing the name of Appendix B to Part Two (2); amending Section 3.103 changing the name of Appendix C to Part Three (3) and providing that a Councilmember may introduce legislation at his or her discretion; amending Section 4.101 to include the general meeting requirements for Meetings of the Urban County Council; amending Section 4.102 deleting the general meeting requirements for the Urban County Council and including Communications from the Mayor (For Information Only) and Fire/Police Disciplinary Items on the Official Agenda of Regular Meetings of the Urban County Council; amending Section 4.103 to streamline the notice requirements for Special Meetings of the Urban County Council; amending Section 4.104 to include Public Comment Issues Not on the Agenda, Adjournment, Communications from the Mayor (For Information Only), and Personnel Matters on the Official Agenda of Work Sessions of the Urban County Council; amending Section 4.105 deleting the minute-keeping requirement relating to Executive Sessions; amending Section 4.106 to establish procedures and requirements for public comment during Meetings of the Urban County Council; amending Section 4.107 to streamline the process governing the distribution of informational materials to the Council during Regular or Special Meetings and Work Sessions; amending Section 4.108 to clarify the administrative responsibilities for notice of Public Hearings and Public Forums; amending Section 4.201 to clarify the process for selecting the Presiding Officer at Regular Meetings, Special Meetings, and Work Sessions; amending Section 4.301 relating to recognition to speak from the Chair via computer work station; amending Section 4.302 to establish requirements to govern the manner of speaking and decorum for Members of the Urban County Council; amending Section

4.303 to include masculine and feminine pronouns; amending Section 4.401 to simplify the manner of making motions and withdrawing motions; amending Section 4.501 to simplify the process relating to requests for a second reading on Ordinances and Resolutions; amending Section 4.505 to include masculine and feminine pronouns; amending Section 4.601 to require the referral of Budget Amendments to the Council Administrator or her designee by noon on the Thursday prior to Work Session; amending Appendix A to the Rules and Procedures by changing the title to Part One (1), including masculine and feminine pronouns, and clarifying the reporting requirements of the Citizens' Advocate; amending Appendix B to the Rules and Procedures by changing the title to Part Two (2) and streamlining the guidelines for use of Law Dept. personnel by Members of the Urban County Council; amending Appendix C to the Rules and Procedures by changing the title to Part Three (3) and streamlining the Administrative, Council, and Business Work Flows for items requiring legislative consideration and approval; amending Appendix D to the Rules and Procedures by changing the title to Part Four (4) and streamlining the guidelines for use of the Government Access Cable Channel, Web Stream, and Online Video Archives; amending Appendix E to the Rules and Procedures by changing the title to Part Five (5) and creating official guidelines and processes for Neighborhood Development Funds; and creating Part Six (6) to the Rules and Procedures relating to Social Media Best Practices.

\* \* \*

Ms. Henson spoke about Safety City's Trick-or-Treat Night on Friday, October 26, 2018 from 6:00 p.m. to 8:00 p.m. and noted that the location has been changed to the Police Training Center on the BCTC Campus at 500 Newtown Pike.

\* \* \*

Mr. Farmer spoke about the Sister Cities Commission and citizens from Newmarket, England that were visiting in Lexington today. Mr. Farmer showed pictures of the students at various places around Lexington. Mr. Farmer also presented Mayor Gray with a painting from the Newmarket Town Council on behalf of the Newmarket Mayor, Ms. Rachel Hood.

\* \* \*

Mr. Smith spoke about the upcoming 2<sup>nd</sup> District Leadership Meeting Tuesday, October 30, 2018 from 5:30 p.m. to 7:30 p.m.

\* \* \*

Mr. J. Brown spoke about upcoming events in the 1<sup>st</sup> District. The Brucetown Neighborhood Cleanup will take place on Saturday October 27, 2018 from 9:00 a.m. to 1:00 p.m. The Lyric Theatre's 70<sup>th</sup> Anniversary Gala is on Saturday, October 27, 2018 at 6:00 p.m. There will be a futsal court unveiling at Castlewood Park on Sunday October 28, 2018 at 4:30 p.m.

\* \* \*

Battalion Chief Jason Wells, Div. of Fire and Emergency Services presented a disciplinary matter regarding Firefighter Brandon Irvin. It is alleged that Firefighter Irvin has committed the offense of AWOL in violation of KRS 95.450 (inefficiency, misconduct, insubordination or violation of law or rule) and UDG 1.11 Late/AWOL, UDG 2.04 inability to meet performance standards, in that on the 28th day of April, 2018, he allegedly was AWOL for 9.45 hours when he skipped a clinical. The appropriate punishment for this conduct is written reprimand and forfeiture of pay for time AWOL.

Upon motion by Mr. Farmer, and seconded by Ms. Plomin, the Fire Disciplinary Report was approved by unanimous vote.

\* \* \*

Mr. Scott Crosby, Burning Tree Ln., spoke on behalf of Lodge 83, about the staffing and overtime issues at the jail. He also spoke about the significant turnover rates, and the disproportionate ratio of inmates to officers. Several attendees ceded time to Mr. Crosby.

Ms. Emily Bryan, Div. of Community Corrections, read a letter from an inmate about the overcrowding and poor conditions of the jail.

Mr. Steve Parker, Div. of Community Corrections, spoke about the lack of officers and the overcrowding at the jail.

Commissioner Ken Armstrong, Dept. of Public Safety, spoke about the staffing and training issues at the Div. of Community Corrections.

Mr. Moloney asked if there is a policy that defines the threshold of staffing to constitute an emergency. Commissioner Armstrong responded. Mr. Steve Haney, Director of Div. of Community Corrections, responded. Mr. Moloney suggested that the

Div. of Community Corrections adopt a policy that would define the lack of employees as an emergency.

Ms. Evans commented that she was concerned to hear of this news, but would welcome the opportunity to discuss it in a committee to resolve it.

Ms. Lamb thanked everyone for bringing this issue to the Council. She also spoke about getting additional information to better plan for the inmates' and the employees' safety.

Ms. Henson spoke about previous issues of employee turnover and overtime at the jail.

Mr. Worley thanked Mr. Crosby for bring this issue to the Council's attention. He also thanked the employees for their service.

Mr. J. Brown asked Com. Armstrong about the hiring process at the jail. Commissioner Armstrong responded.

Ms. Plomin asked if the vacancy rates in jails are nationwide. Director Haney responded.

Ms. Bledsoe thanked the Div. of Community Corrections employees and committed to resolve this issue.

The Mayor asked Mr. Glenn Brown, Deputy CAO, Office of the Chief Administrative Officer, to take this task on and report back to the Council.

Ms. Lamb asked the Mayor to notify the Council with updates on this issue.

Upon motion by Ms. Evans, seconded by Ms. Henson, and approved by unanimous vote, the issue of Corrections Personnel was placed in the Social Services/General Government Committee.

\*

\*

\*

Upon motion by Mr. Farmer, seconded by Ms. Evans, and approved by unanimous vote, the meeting adjourned at 8:24 p.m.

---

Deputy Clerk of the Urban County Council