

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky November 16, 2017

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on November 16, 2017 at 6:01 p.m. Present were Mayor Gray in the chair presiding, and the following members of the council: Lamb, Moloney, Mossotti, Plomin, Scutchfield, Smith, Stinnett, Bledsoe, F. Brown, J. Brown, Evans, Farmer, Gibbs, Henson, and Kay.

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

Ordinances No. 157-2017 through 160-2017, inclusive, and Resolutions No. 659-2017 through 684-2017, inclusive, were reported as having been signed and published and ordered to record.

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky November 16, 2017

The Invocation was given by the Reverend Michael Ward of Walnut Hill Church.

* * *

Mayor Gray asked Ms. Brittney Edwards to join him at the podium where he read a Proclamation declaring November 12 – 18, 2017 as Nurse Practitioner Week in Lexington. Ms. Edwards thanked the Mayor and Council for their recognition and support, and she talked about the work of nurse practitioners.

* * *

Mayor Gray asked Mr. Bob Babbage to join him at the podium and read a Proclamation declaring November 2017 as Diabetes Action Month in Lexington. Mr. Babbage thanked the Council and the Mayor for the acknowledgment and spoke about the mission of diabetes awareness.

* * *

Mayor Gray asked Ms. Mossotti to join him at the podium, along with Ms. Sherry Postlethwaite of the Cabinet for Family Services. Mayor Gray read a Proclamation declaring November 2017 as Adoption Awareness Month in Lexington. Ms. Mossotti spoke about the work of the Cabinet for Family Services and Ms. Postlethwaite talked about the work of the Cabinet.

* * *

A Resolution adopting Goals and Objectives for the 2018 Comprehensive Plan was on the docket for second reading.

Upon motion by Vice Mayor Kay, seconded by Ms. Mossotti, and approved by unanimous vote, the resolution was separated from other resolutions for second reading and considered as a separate item.

Upon motion by Vice Mayor Kay, seconded by Ms. Henson, and approved by unanimous vote, the rules were suspended and the resolution was moved to the top of the docket and discussed before other business.

The Mayor opened the floor for public comment and Mr. Bob Crutcher, Blue Sky Parkway, spoke about the resolution.

Ms. Plomin moved to amend the Preamble to the 2018 Goals and Objectives by deleting the last sentence and inserting the following language: "Anytime in the interim, the Planning Commission may recommend that Council amend the Goals and Objectives and any recommendation shall be presented for consideration, amendment, and adoption by the Council." The motion was seconded by Ms. Mossotti.

Mr. Moloney asked for clarification on the effect of the amendment. Ms. Tracy Jones, Dept. of Law, responded.

Vice Mayor Kay asked for additional information on the effect of the amendment. Ms. Jones responded.

The motion to amend passed by unanimous vote.

Ms. Evans moved to amend the Goals and Objectives, Theme E, Goal 3, to read, "Maintain the current urban service area and rural activity centers and create no new rural activity centers. To ensure Lexington is responsive to its future land use needs, this goal shall be superseded and no longer in effect upon completion of Theme E, Goal 4, Objective D." The motion was seconded by Ms. Plomin.

Mr. Farmer asked about the term 'supersede' as used in the proposed amendment. Ms. Evans responded.

Ms. Lamb asked for further clarification on the designation of Objectives C and D. Ms. Evans responded.

Ms. Evans rescinded the motion.

Mr. J. Brown moved to amend the Goals and Objectives, Theme E, Goal 4, and add Objective C, to read, "Complete the study with the assistance of a consultant by July 1, 2020." The motion was seconded by Ms. Bledsoe.

Mr. J. Brown talked about his motion to amend.

Ms. Lamb asked about the effect of the amendment and the cost of the study. Director Jim Duncan, Div. of Planning, responded.

Mr. F. Brown asked about the funding date. Mr. Duncan responded. Commissioner William O'Mara, Dept. of Finance and Administration, responded.

Mr. Moloney asked about the budget and staffing for the study. Mr. Duncan responded.

The motion passed by unanimous vote.

Ms. Mossotti moved to amend Goal 4 to add an Objective D as follows: “Implement the process resulting from the study as an amendment to the Comprehensive Plan superceding Theme E, Goal 3, at the time of adoption by the Planning Commission.” The motion was seconded by Ms. Plomin and passed by unanimous vote.

Ms. Evans moved to amend the Goals and Objectives, Theme E, Goal 3, to read, “Maintain the current urban service area and rural activity centers and create no new rural activity centers. To ensure Lexington is responsive to its future land use needs, this goal shall be superseded and no longer in effect upon completion of Theme E, Goal 4, Objective D.” The motion was seconded by Ms. Henson and passed by unanimous vote.

A Resolution adopting Goals and Objectives for the 2018 Comprehensive Plan, as amended, received a new first reading.

Ms. Lamb expressed concern about the phrase “as amended” appearing at the end of the title.

A Resolution adopting Goals and Objectives for the 2018 Comprehensive Plan, as amended, received a second new first reading.

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

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

Aye: Lamb, Moloney, Mossotti, Plomin, -----15
Scutchfield, Smith, Stinnett, Bledsoe,
F. Brown, J. Brown, Evans, Farmer, Gibbs,
Henson, Kay

Nay: -----0

*

*

*

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

Aye: Lamb, Moloney, Mossotti, Scutchfield, Smith, -----14
Stinnett, Bledsoe, F. Brown, J. Brown,
Evans, Farmer, Gibbs, Henson, Kay

Nay: -----0

Ms. Plomin was absent for the vote.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$2,000 in the Div. of Traffic Engineering from the Council Projects Funds for improvements to the new pedestrian intersection located at the intersection of South Ashland Avenue and Ashland Avenue, and appropriating and re-appropriating funds, Schedule No. 12.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$9,000 in the Div. of Traffic Engineering from the Council Projects Funds for speed tables on Bullock Place and appropriating and re-appropriating funds, Schedule No. 13.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$26,414.80 from the Council Projects Funds for Ky. Theatre renovation 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 municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 11.

An Ordinance amending section 12-1(a) of the Code of Ordinances related to the Property Maintenance Code to delete the 1998 Edition and include the 2015 Edition of the International Property Maintenance Code; amending Section 12-1(b) of the Code of Ordinances related to the Property Maintenance Code to not incorporate the following sections of the 2015 Property Maintenance Code 111.1, 111.2.1, 111.2.2, 111.2.3, 111.2.4, 111.2.5, 111.3, 111.4, 111.4.1, 111.5, 111.6, 111.6.1, 111.6.2, 111.7, 111.8, 302.4, 304.17, 308.2, 308.2.1, 308.2.2, 308.3, 308.3.1, 308.3.2, and 309.5, to include PM-102.3 application of other codes, to allow for delegation of enforcement in PM-103.1, to renumber PM-103.4 to PM-103.45, to allow for designation in PM-104.6,

to revise the penalty schedule to include violations from 30 to 41 or above and add fines of \$600 to \$2,500 in PM-106.4.1(b), to delete the publication requirement and require posting of the property in PM-107.1 to include PM-107.6 transfer of ownership, to delete PM-108.1 utility removal and replace it with PM-108.1 general, to raise the administrative cost from \$75 to \$250 in PM-108.2, to include PM-108.2.1 disconnection of utility services, to include PM-108.5, prohibited occupancy, to include PM-108.5.1 occupying a condemned structure, to include PM-108.5.2 violation of PM-108.5, to delete PM-110.4, to include PM-112.4 failure to comply with an order, to include PM-201.3 related to other codes, to renumber PM-303.19 to PM-301.4 and revising the reference to KAR, to include PM-302.2.1 discharge of storm water, to include PM-304.3.1 unit identification, to renumber PM-304.15 to PM-304.14, creating PM-304.15 doors, creating PM-309.3 single occupancy, creating PM-309.4 multiple occupancy, creating PM-402.2 halls and stairways, creating PM-503.4 floor surfaces, deleting PM-504.4, deleting PM-602.2.1, deleting PM-602.2.2, creating PM-602.3 heat supply, renumbering PM-602.3 to PM-602.4 and changing from nonresidential structures to occupiable work spaces, renumbering PM-602.5 to PM-602.6, amending PM-605.2 to include ground fault interrupters, deleting PM-701.1, creating PM-702.4.1 means of escape, creating PM-704.2 smoke alarms, creating PM-704.2.1.5 smoke alarms, deleting PM-705.5.2, deleting PM-901.1, deleting PM-901.2, deleting PM-901.2.1, deleting PM-902.2, deleting PM-902.3, deleting PM-903.1, deleting PM-904.1, deleting PM-905.1, deleting PM-906.1; amending Section 12-2(a) of the Code of Ordinances related to nuisances to include definitions of ashes, debris, garbage, trash, and weed; amending Section 12-2(b) of the Code of Ordinances related to nuisances to delete the requirement of substantial diminution; amending Section 12-2(c)(1) of the Code of Ordinances related to nuisances to include non-licensed, improper licensed or inoperative vehicles, amending 12-2(c)(3) of the Code of Ordinances related to nuisances to include garbage, debris, ashes, trash or any other kind of waste; amending Section 12-2(c)(4)(a) of the Code of Ordinances to add a variety of weeds to this section including those classified by the United States Dept. of Agriculture; amending Section 12-2(c)(4)(b) of the Code of Ordinances related to nuisances to replace the 12 inch height requirement with 10 inches that does not apply

to crops, trees, bushes, shrubs, flowers or ornamental plants; creating a new Section 12-2(c)(4)(d) of the Code of Ordinances related to nuisances to provide for maintenance of bushes, shrubs, plants, vines and other vegetation, creating Section 12-2(c)(4)(e) of the Code of Ordinances related to nuisances to renumber former Section 12-2(c)(4)(d) to 12-2(c)(4)(e), deleting Section 12-2(c)(5) of the Code of Ordinances related to nuisances; amending Section 12-2(c)(6) of the Code of Ordinances related nuisances to renumber to 12-2(c)(5) to include other inoperable or demolished objects; deleting Section 12-2(c)(7) of the Code of Ordinances related to nuisances and renumbering it as 12-2(c)(6) and to include the accumulation of mud, dirt and moss; amending the second Section 12-2(c) of the Code of Ordinances related to nuisances to include carports and decks and renumbering to 12-2(d); creating Section 12-2(e) of the Code of Ordinances related to nuisances to maintain compost piles; amending Section 12-2(d) of the Code of Ordinances related to nuisances to renumber the Section to 12-2(f); creating Section 12-2(g) of the Code of Ordinances related to nuisances to renumber former Section 12-2(e) to 12-2(g); creating Section 12-2(h) of the Code of Ordinances related to nuisances to renumber former Section 12-2(f) to 12-2(h); amending section 12-5(b) of the Code of Ordinances related to penalties to increase the period from 12 months to 24 months and to increase the maximum fine to \$1,500; amending Section 12-5(c) of the Code of Ordinances related to penalties to increase the period from 12 months to 24 months and to increase the maximum fine to \$1,500; amending Section 12-8.4(b) of the Code of Ordinances related to accumulation of snow as a nuisance to change the referenced section of the code from 12-7 to 12-3.

An Ordinance amending Articles 1, 3, 8, 9, 10, 12, 15, 16, 17, 22A & B, 23, and 24 of the Zoning Ordinance to move several uses from the conditional use category to either the principal permitted or the accessory use category.

An Ordinance amending the Unclassified Civil Service authorized strength by abolishing one (1) position of Equipment Operator, Grade 510N, and creating one (1) position of Educational Program Aide, Grade 508N, in the Div. of Youth Services, effective upon passage of Council.

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 2018.

*

*

*

An Ordinance creating a ten (10) year, non-exclusive franchise for a cable television system within the confines of the Lexington-Fayette Urban County Government said franchise providing for: full financial and shareholder disclosure; indemnification by the franchise Grantee and adequate insurance coverage; a \$50,000 letter of credit to ensure franchise compliance; payment to the government; requirements for providing data, testing the system, and meeting minimum operational standards; conditions of street occupancy; use of poles; minimum construction standards; minimum requirements for extending the system; access to community facilities; public, educational and government access channels; emergency alert override; antenna switches; two hour stand-by power; testing and analyzing the system and proof of performance; establishment of consumer services standards; establishment of standards for billing practices; establishment of a complaint procedure; refunds to subscribers for failure of service; rate regulation; Council approval required for a transfer of control or assignment of the franchise; standards and procedures established for forfeiture of the franchise, assessment of penalties and valuation of the system; foreclosure and receivership provisions; reserving government rights in the franchise; assurances of nondiscrimination; protections of subscriber privacy; administrative supervision of the franchise; government access to property and records received first reading.

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

Upon motion by Ms. Scutchfield, and seconded by Ms. Henson, the ordinance was approved by the following vote:

Aye: Lamb, Moloney, Mossotti, Plomin, -----15
Scutchfield, Smith, Stinnett, Bledsoe,
F. Brown, J. Brown, Evans, Farmer, Gibbs,
Henson, Kay

Nay: -----0

*

*

*

The following ordinances received first reading and were ordered placed on file for public inspection until December 5, 2017:

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. 15.

An Ordinance amending the Classified Civil Service authorized strength by creating one (1) position of Infrastructure Program Manager, Grade 522E, creating one (1) position of Project Manager, Grade 517E, creating one (1) position of Engineering Technician Sr., Grade 516N and creating two (2) positions of Treatment Plant Operator, Grade 515N, all in the Div. of Water Quality, effective July 1, 2017.

*

*

*

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

Aye: Lamb, Moloney, Mossotti, Plomin, -----14
Scutchfield, Smith, Stinnett, Bledsoe,
J. Brown, Evans, Farmer, Gibbs, Henson,
Kay

Nay: -----0

Mr. F. Brown was absent for the vote.

A Resolution accepting the bid of the Allen Co., Inc., in the amount of \$951,165, for Wilson Downing Drainage 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 bid of Bobcat Enterprises, Inc., establishing a price contract for Equipment Rental Without Operator, for the Div. of Streets and Roads.

A Resolution ratifying the Probationary Classified Civil Service Appointments of: Gary Robertson, Equipment Operator, Grade 510N, \$17.050 hourly, and Larry Carrier, Vehicle & Equipment Mechanic, Grade 512N, \$18.132 hourly, both in the Div. of Streets and Roads, effective November 20, 2017, Dustin Himes, Maintenance Mechanic, Grade 515N, \$18.428 hourly in the Div. of Water Quality, effective November 27, 2017, Anne

Greis, Telecommunicator Sr., Grade 517N, \$21.300 hourly in the Div. of Emergency Management/911, effective December 11, 2017, Dominique Rawlings, \$2,461.54 biweekly in the Div. of Facilities and Fleet Management, effective November 13, 2017 and Christopher Taylor, \$2,340.56 biweekly in the Div. of Planning, effective November 27, 2017, both Administrative Officer, Grade 523E, and Rosemary Olive, Administrative Specialist Sr., Grade 516N, \$23.232 hourly in the Div. of Parks and Recreation, effective November 13, 2017; ratifying the Permanent Civil Service Appointments of: Joshua Dezarn, Municipal Engineer Sr., Grade 525E, \$2,640.88 biweekly in the Div. of Engineering, effective November 8, 2017, Randall Wilson, Trades Worker Sr., Grade 511N, \$15.964 hourly in the Div. of Streets and Roads, effective November 1, 2017, Christopher Holtzclaw, Environmental Inspector, Grade 516N, \$21.053 hourly in the Div. of Water Quality, effective September 6, 2017, Elizabeth Irwin and Joyce Probus, both Billing Specialist, Grade 516N, \$21.694 hourly, effective November, 1, 2017, Michael Miller, Treatment Plant Operator, Grade 515N, \$19.392 hourly, effective June 5, 2017, Anthony Nesbitt, Equipment Operator, Grade 510N, \$15.588 hourly, effective September 27, 2017, Brent Ross, Public Service Worker Sr., Grade 509N, \$14.530 hourly, effective November 22, 2017 all in the Div. of Water Quality, Timothy Gentry, Resource Recovery Operator, Grade 513N, \$17.049 hourly in the Div. of Waste Management, effective November 15, 2017 and Claire McBride, Telecommunicator Sr., Grade 517N, \$20.724 hourly in the Div. of Emergency Management/911, effective October 17, 2017.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Contract with Unique Security, Inc., for the Div. of Community Corrections for Jail Security System Replacement, at a total cost not to exceed \$3,422,840.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Smart Growth America, for the acceptance of Grant funds in the amount of \$8,000 and participation in the Safe Streets Academy, the acceptance of which obligates the Urban County Government for the expenditure of \$8,000 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Office of Homeland Security, which Grant funds are in the amount of \$41,200 Federal funds, under the 2017 State Homeland Security Grant Program, are for the purchase of equipment kits to improve response to explosive/firearm threats by 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 \$24,000 Federal funds, under the 2017 State Homeland Security Grant Program, are for the purchase of Personal Protective Equipment (PPE) 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 and submit a Grant Application to the Blue Grass Community Foundation, and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$7,240, and are for the operation of Crocks and Kicks Program for the Div. of Parks and Recreation.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Kroger Community Fields Program, and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$25,000, and are for repair of ball fields for the Div. of Parks and Recreation.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and other necessary documents, and to accept Deeds for property interests needed for the Wilson Downing Rd. Flood Mitigation Project, at a cost not to exceed \$30,000.

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, for the lease of desktop computers for the Urban County Government, at an estimated cost not to exceed \$89,901.80.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement (awarded pursuant to RFP No. 26-2017) with GRW Engineers, Inc., for investigation and design services for the Town Branch Waste Water Treatment Plant Thickening Process Evaluation and Equipment Upgrades Project, at a cost estimated not to exceed \$261,140.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Order Form with Routeware, for GPS monthly service fees, at a cost not to exceed \$30,026.63.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and all other documents necessary to accept Deeds for property interests needed for Sections 1 and 2 of the Versailles Rd. Corridor Improvement Project, at a cost not to exceed \$51,000, plus usual and appropriate closing costs.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Banks Engineering, for the design of the Citation Trail Project, at a cost not to exceed \$117,101.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Blue Grass Community Foundation, which Grant funds are in the amount of \$2,000, under the What's Next Grant Program, are for the Let Art Rain Project, 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 a Service Contract with Dunbar Armored, Inc., for the Div. of Community Corrections, to transport deposits from the division to Chase Bank, at a total cost not to exceed \$10,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 3 to the Contract with Pace Contracting, LLC, for the Jacobson and Masterson Station Park Spraygrounds Project, increasing the contract

price by the sum of \$21,170.24 from \$1,215,134.42 to \$1,236,304.66 and adding twenty (20) calendar days to the construction schedule.

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 \$36,795.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation from Friends of Raven Run, Inc., of a Land Pride WC1504 wood chipper and three (3) Stihl Forestry Helmets for use at Raven Run Nature Sanctuary, at an estimated value of \$3,425.15.

A Resolution amending Resolution 416-2017 to include 467, 471 and 473 West Second Street as part of a Residential Parking Permit Program for the south side of the 400 block of West Second Street, between Bruce Street and Jefferson Street, twenty-four (24) hours per day, Monday through Sunday.

* * *

Upon motion by Mr. J. Brown, seconded by Mr. Farmer, and approved by unanimous vote, a Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Lexington Cemetery Co. to relocate statues of John C. Breckinridge and John Hunt Morgan to the Lexington Cemetery at no cost to the Urban County Government was placed on the docket and received first reading.

Upon motion by Mr. J. Brown, 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: Lamb, Moloney, Mossotti, Plomin, -----15
Scutchfield, Smith, Stinnett, Bledsoe,
F. Brown, J. Brown, Evans, Farmer, Gibbs,
Henson, Kay

Nay: -----0

* * *

Upon motion by Mr. Smith, seconded by Ms. Mossotti, and approved by unanimous vote, a Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept donations from Prometheus Foundry, LLC, and American Industrial Contractors, LLC, valued at \$12,000 and \$90,000 respectively, of services for the relocation storage and restoration of statues of John C. Breckinridge and John Hunt Morgan was placed on the docket and received first reading.

Upon motion by Mr. Smith, 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: Lamb, Moloney, Mossotti, Plomin, -----15
Scutchfield, Smith, Stinnett, Bledsoe,
F. Brown, J. Brown, Evans, Farmer, Gibbs,
Henson, Kay

Nay: -----0

* * *

Upon motion by Ms. Evans, seconded by Ms. Henson, and approved by unanimous vote, a Resolution accepting the bid of Thomas Quality Construction, LLC, in the amount of \$7,520, for the Shingle Roofing Replacement Project, for the Div. of Grants and Special Programs was added to the docket and received first reading.

Upon motion by Ms. Evans, seconded by Ms. Henson, and approved by majority vote (Mr. F. Brown voted No), 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: Lamb, Moloney, Mossotti, Plomin, -----15
Scutchfield, Smith, Stinnett, Bledsoe,
F. Brown, J. Brown, Evans, Farmer, Gibbs,
Henson, Kay

Nay: -----0

* * *

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Transportation Cabinet (KYTC), for

the exchange of a total of approximately 34.658 road lane miles located in Lexington-Fayette County, with KYTC to receive approximately 19.6 road lane miles and the Urban County Government to receive approximately 15.058 road lane miles; and authorizing the Mayor, or his designee, to sign any necessary documents related to the exchange was given first reading.

Mr. Gibbs moved to amend the resolution to change the total number of road lane miles exchanged between the KYTC and the Urban County Government to approximately 34.983, with KYTC receiving 16.888 road lane miles and LFUCG receiving 18.095 road lane miles. The motion was seconded by Ms. Plomin.

Mr. Moloney asked about the roads and other infrastructure affected by the proposed amendment to the resolution. Commissioner Dowell Hoskins-Squier, Dept. of Environmental Quality and Public Works, responded.

Mr. Farmer commented on the age of infrastructure in Lexington. Mr. Farmer asked about the effect of the proposed amendment on SR1974. Comm. Hoskins-Squier responded.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Transportation Cabinet (KYTC), for the exchange of a total of approximately 34.983 road lane miles located in Lexington-Fayette County, with KYTC to receive approximately 16.888 road lane miles and the Urban County Government to receive approximately 18.095 road lane miles; and authorizing the Mayor, or his designee, to sign any necessary documents related to the exchange, as amended, received a first reading.

Mr. Gibbs moved to suspend the rules and give second reading to the resolution. Vice Mayor Kay seconded the motion.

Mr. Moloney asked to hear from Mr. Paul Price of Main Street Baptist Church. Mayor Gray invited Mr. Price to speak.

Mr. Price, Creekside Dr., stated that the Church does not object to passage of the resolution.

Mr. Farmer asked for clarification of earlier postponements to consideration of this resolution. Mr. Gibbs responded.

The motion to suspend the rules passed by unanimous vote 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: Lamb, Mossotti, Plomin, Scutchfield, Smith, -----14
Stinnett, Bledsoe, F. Brown, J. Brown,
Evans, Farmer, Gibbs, Henson, Kay

Nay: Moloney -----1

* * *

A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Classified Civil Service Appointments: Angeles Leath, Staff Assistant Sr., Grade 510N, \$16.124 hourly in the Div. of Revenue, effective December 11, 2017; Kimberly Clark, Laboratory Technician, Grade 513N, \$18.038 hourly in the Div. of Water Quality, effective December 4, 2017, Jarrod Keltner, Laboratory Technician, Grade 513N, \$17.161 hourly in the Div. of Water Quality, effective December 4, 2017, Carley Solomon, Child Care Program Aide, Grade 508N, \$13.800 hourly in the Div. of Family Services, effective December 4, 2017, Kimberley Gipson, Family Services Center Manager, Grade 524E, \$2,447.28 biweekly in the Div. of Family Services, effective December 18, 2017 and Aliza Tourkow, Planner Sr., Grade 521N, \$29.808 hourly in the Div. of Planning, effective January 8, 2018 received first reading.

Upon motion by Ms. Henson, seconded by Vice Mayor Kay, 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: Lamb, Moloney, Mossotti, Plomin, -----15
Scutchfield, Smith, Stinnett, Bledsoe,
F. Brown, J. Brown, Evans, Farmer, Gibbs,
Henson, Kay

Nay: -----0

* * *

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easement, releasing a portion of a sanitary sewer easement on the property located at 2944 Trailwood Lane received first reading.

Upon motion by Mr. Smith, 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: Lamb, Moloney, Mossotti, Plomin, -----15
Scutchfield, Smith, Stinnett, Bledsoe,
F. Brown, J. Brown, Evans, Farmer, Gibbs,
Henson, Kay

Nay: -----0

* * *

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Douglass Baseball Booster Club (\$700), Salvation Army (\$2,075), Henry Clay Girls Basketball Boosters (\$650), Lady Veterans Connect (\$1,100), and Ky. Coalition, Inc. (\$1,600), for the Office of the Urban County Council, at a cost not to exceed the sums stated received first reading.

Upon motion by Ms. Scutchfield, seconded by Vice Mayor Kay, 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: Lamb, Moloney, Mossotti, Plomin, -----15
Scutchfield, Smith, Stinnett, Bledsoe,
F. Brown, J. Brown, Evans, Farmer, Gibbs,
Henson, Kay

Nay: -----0

* * *

A Resolution approving and adopting an amendment to the 2015 - 2019 Consolidated Plan, adding Slum/Blight Removal Activity in the amount of \$100,000 and amending the 2016 Annual Action Plan, increasing funding to the Canaan House Roof Replacement Project in the amount of \$16,000 was on the docket for first reading.

Mayor Gray invited Mr. Charlie Lanter, Div. of Grants and Special Programs, to the podium. Mr. Lanter spoke to the intent and purpose of the resolution.

7:20 p.m. The Mayor declared open a public hearing and invited public comment.

No one appearing to speak,

7:20 p.m. The Mayor declared the public hearing closed.

The resolution received first reading and was ordered placed on file for public inspection until December 5, 2017.

*

*

*

The following resolutions received first reading and were ordered placed on file for public inspection until December 5, 2017:

A Resolution accepting the bid of Lexington Truck Sales, Inc., establishing a price contract for Cab and Chassis Truck with Front Loading Refuse Collection Body, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of L & W Emergency Services Equipment, Inc. d/b/a LW Emergency Equipment, establishing a price contract for Reflective Vehicle Decals, for the Div. of Police.

A Resolution accepting the bid of Vance Outdoors, Inc., establishing a price contract for Tactical Body Armor, for the Div. of Police.

A Resolution accepting the bid of Paul Miller Ford, Inc., establishing a price contract for Police Interceptors, for the Div. of Facilities and Fleet Management.

A Resolution ratifying the Probationary Classified Civil Service Appointments of: Tina Gdowski, Administrative Specialist Sr., Grade 516N, \$20.079 hourly in the Div. of Revenue, effective November 27, 2017, Jessica Allinder, Buyer, Grade 517E, \$1,625.44 biweekly in the Div. of Purchasing, effective November 27, 2017, Sarah Farley, Administrative Specialist, Grade 513N, \$17.067 hourly in the Div. of Traffic Engineering, effective November 27, 2017, Tracey Johnson, Administrative Specialist, Grade 513N, \$20.101 hourly in the Div. of Community Corrections, effective December 11, 2017 and Oliver Steele, Code Enforcement Supervisor, Grade 520E, \$2,352.00 biweekly in the Div. of Code Enforcement, effective December 11, 2017; ratifying the Permanent Civil Service Appointments of: Jeffrey Carter, Deputy Director Community Corrections, Grade 526E, \$3,782.32 biweekly in the Div. of Community Corrections, effective May

14, 2017, Susan Schaefer, Body Worn Camera Administrator, Grade 517N, \$22.278 hourly in the Div. of Police, effective October 17, 2017, Garry Sennett, Technical Services Supervisor, Grade 521E, \$2,250.32 biweekly in the Div. of Police, effective October 24, 2017, William Hamilton, Skilled Trades Worker Sr., Grade 517N, \$23.047 hourly in the Div. of Parks and Recreation, effective September 20, 2017 and Charlie Lanter, Director of Grants and Special Programs, Grade 530E, \$3,850.64 biweekly in the Div. of Grants and Special Programs, effective September 20, 2017.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Right-of-Way Agreement with Columbia Gas of Ky., Inc., granting permanent and temporary easements at 1345 Old Frankfort Pike for the installation, operation, and maintenance of gas lines, in consideration of \$2,206.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with ZKB Service LLC, for the Versailles Rd. Tornado Shelter Project, increasing the contract price by the sum of \$5,000 to include prevailing wage rates, from \$26,500 to \$31,500.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Axon Enterprise, Inc., for future purchase of supplies, at which time funds will be budgeted.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation from Lexington Lions Club, Inc., of a Toro Groundsmaster Mower for grounds maintenance at the Masterson Station Fairgrounds and other public parks, at an estimated value of \$21,267.84.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Education) Incentive Grant to the Board of Education of Fayette County, Ky., for stormwater quality projects, at a cost not to exceed \$4,900.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Education) Incentive Grant to the Episcopal Church in the Diocese of Lexington d/b/a St. Raphael the Archangel Church, for stormwater quality projects, at a cost not to exceed \$12,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with ESO Solutions, for electronic patient care supporting software, at a cost not to exceed \$1,400.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Master Service Agreement with Securus Technologies, Inc., for the provision of telephone service for the offender population at the Detention Center, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Dept. of Juvenile Justice, and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$200,000 Commonwealth of Ky. funds under the Juvenile Justice Fiscal Incentive Program, are for the operation of the Justice Reinvestment Program for the Div. of Youth Services.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute all necessary documents and to accept property interests for the Expansion Area 3 Pump Station and Force Main Project, at a cost not to exceed \$18,764.25, plus usual and appropriate closing costs.

A Resolution establishing a residential parking permit program for both sides of Blackburn Avenue, 335 linear feet of curb line from the corner of Blackburn Avenue and Third Street, to the approximate midpoint of the 300 block of Blackburn Avenue, 24 hours per day, Monday through Sunday.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Second Amendment to the Agreement with Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas Counties, Inc., extending the term of the Agreement to March 3, 2018 and providing additional funds for the operation of the Emergency Family Housing Program, at a cost not to exceed \$25,000.

* * *

Upon motion by Ms. Scutchfield, and seconded by Vice Mayor Kay, the Communications from the Mayor were approved by unanimous vote and were as follows: (1) Recommending the appointment of Mr. James Womack, filling an unexpired

term on the Administrative Hearing Board, with term expiring July 1, 2018; (2) Recommending the appointments to the Environmental Commission of Mr. Caleb Fligor, District 3 Additional Member, Mr. Marty Marchaterre, District 5 Additional Member, and Ms. Beth Posedly, District 12 Member, and the reappointment of Mr. Larry Rhodes, District 10 Additional Member, with terms expiring November 16, 2021, November 16, 2021, October 1, 2018, and October 1, 2021, respectively; (3) Recommending the appointments to the Human Rights Commission of Ms. Barbara Ellerbrook and Dr. Jamil Farooqui, both filling unexpired terms, with terms expiring September 29, 2020 and January 1, 2019, respectively; (4) Recommending the appointment of Mr. Roscoe Klausung, District 3 Resident, to the Parks and Recreation Advisory Board, with term expiring November 16, 2021; (5) Recommending the appointment of Ms. Jessica Cobb, Commissioner of Health Designee, to the Senior Services Advisory Board, with term expiring December 31, 2018; and, (6) Recommending the reappointment to the Water Quality Fees Board of Mr. George Ely and Mr. George Woolwine, both Fayette County Resident members, with terms expiring December 1, 2021.

* * *

The following Communications from the Mayor were received for information only: (1) Classified Civil Service Lateral Transfer of Juan Lewis, Public Service Supervisor, Grade 514N, \$19.679 hourly in the Division of Facilities and Fleet Management, effective November 27, 2017.

* * *

Vice Mayor Kay thanked all of the stakeholders and individuals who contributed to the work on the Comprehensive Plan. He spoke also about the fact that several of the issues on the docket for the evening reflect a successful culmination to community involvement in local government.

* * *

Mr. Moloney wished everyone a Happy Thanksgiving.

* * *

Ms. Evans spoke about a recent visit with students at Frederick Douglass High School and their input and ideas about future community statues.

* * *

Mayor Gray echoed Vice Mayor Kay's compliments for the amount of work reflected by the legislation passed during the course of the meeting, and he expressed his thanks for everyone's contributions.

* * *

Mr. Smith moved to schedule a Public Hearing on the Coldstream Mixed Use Development Tax Increment Financing on Thursday, December 7, 2017 at 6:00 p.m. in the Council Chamber. Ms. Lamb seconded the motion.

Mr. Farmer asked for more information on the purpose of the hearing. Mr. Dave Barberie, Dept. of Law, responded. Mr. Kevin Atkins, Office of the Mayor, responded.

The motion passed by unanimous vote.

* * *

Ms. Henson reflected on the holiday season and expressed her gratitude for the life she has here in Lexington, and the collaborative nature of the work of the Council and City Administration, and the citizens.

* * *

Chief Kristin Chilton, Div. of Fire and Emergency Services, presented a fire disciplinary recommendation regarding Firefighter Daryl Walton. It is alleged that Firefighter Daryl Walton is in violation of Lexington Fire Department's UDG 1.11 in violation of KRS 95.450 (inefficiency, misconduct, insubordination or violation of law or rule) and UDG 1.11 AWOL in that on the 28th day of October, 2017 he was late for work with no contact for 41 minutes. The appropriate punishment for this conduct is written reprimand.

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

* * *

Chief Chilton presented a fire disciplinary recommendation regarding Battalion Chief Wood. It is alleged Battalion Chief Wood has committed the offense of failing to take appropriate steps after he had discovered that the supply van wrap was removed without authorization in violation of KRS 95.450 (inefficiency, misconduct, insubordination or violation of law or rule) and UDG 2.09 Immediate Supervisor's Failure to Take Action in that on the undetermined days of January, 2017 he allegedly failed to

act on the unauthorized action of a subordinate. The appropriate punishment for this conduct is written reprimand.

Upon motion of Vice Mayor Kay, seconded by Ms. Plomin, the disciplinary recommendation was approved by unanimous vote.

* * *

Chief Chilton presented a fire disciplinary recommendation regarding Lieutenant Chris Martin. It is alleged Lieutenant Martin has committed the offense of removing supply van wrap without authorization in violation of KRS 95.450 (inefficiency, misconduct, insubordination or violation of law or rule) and Policy 200.21 Apparatus inventory, UDG 1.08 Display of material firestations/facilities in that on the undetermined day of January, 2017, he removed the vinyl wrap on the supply van. The appropriate punishment for this conduct is 10 hours suspension.

Upon motion of Ms. Scutchfield, seconded by Ms. Plomin, the disciplinary recommendation was approved by unanimous vote.

* * *

Chief Chilton presented a fire disciplinary recommendation regarding Battalion Chief Joe Best. It is alleged Battallion Chief Best has committed the offense of violation of Section 25-8 of the Ethics Act – Use of public property, equipment, and personnel in violation of KRS 95.450 (inefficiency, misconduct, insubordination or violation of law or rule) Section 25-8 of the LFUCG Ethics Act in that on the 5th day of May, 2016, he allegedly asked a subordinate to run a personal errand for him. The appropriate punishment for this conduct is 40 hours suspension.

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

* * *

Mr. Bernard McCarthy, Harry St., spoke against demolition of the Jefferson Viaduct.

* * *

Mr. Scooter Stein talked about the 2nd Annual 24-hour Homelessness Experience.

* * *

Upon motion by Mr. Stinnett, seconded by Ms. Scutchfield, and approved by unanimous vote, the meeting adjourned at 7:56 p.m.

Deputy Clerk of the Urban County Council