

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky December 1, 2016

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on December 1, 2016 at 6:01 p.m. Present were Mayor Gray in the chair presiding, and the following members of the council: Mossotti, Plomin, Scutchfield, Stinnett, Akers, Bledsoe, F. Brown, J. Brown, Evans, Farmer, Gibbs, Henson, Kay, Lamb, and Moloney.

Ordinances No. 189-2016 through 195-2016, inclusive, and Resolutions No. 678-2016 through 693-2016, inclusive, were reported as having been signed and published and ordered to record.

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky December 1, 2016

The Invocation was given by Pastor Kory Wilcoxson of Crestwood Christian Church.

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Mayor Gray recognized the members of Cub Scout Pack 110 from South Elkhorn Christian Church.

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

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

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. 21.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$217 in the Div. of Police from the Council Projects Funds for additional travel expenses associated with training the Vapor Wake Canine and handler and appropriating and re-appropriating funds, Schedule No. 23.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$119,866 in the Div. of Streets and Roads from the Council Projects Funds for paving three sections of Old Paris Pike and appropriating and re-appropriating funds, Schedule No. 24.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$12,800

in the Div. of Streets and Roads from the Council Projects Funds for paving local streets and appropriating and re-appropriating funds, Schedule No. 25.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$45,000 in the Div. of Parks and Recreation from the Council Projects Funds to complete the construction of a new concession stand and restrooms in Martin Luther King Park and appropriating and re-appropriating funds, Schedule No. 26.

An Ordinance amending the Classified Civil Service authorized strength by abolishing one (1) position of Recreation Manager Sr., Grade 520E, and creating one (1) position of Parks and Recreation Superintendent, Grade 525E, reclassifying the incumbent in the Div. of Parks and Recreation, effective upon passage of Council.

An Ordinance amending the Classified Civil Service authorized strength by creating one (1) position of Administrative Officer, Grade 523E, in the Div. of Code Enforcement, effective upon passage of Council.

An Ordinance amending the Unclassified Civil Service authorized strength by extending the term of one (1) position of Administrative Specialist Principal, Grade 518E, and three (3) positions of Administrative Specialist, Grade 513N, for a term of four (4) years, beginning November 4, 2016 and expiring November 4, 2020, in the Div. of Water Quality, effective upon passage of Council.

An Ordinance amending the Classified Civil Service authorized strength by abolishing one (1) position of Public Service Worker Sr., Grade 509N, and one (1) position of Equipment Operator Sr., Grade 512N, and creating one (1) position of Arborist, Grade 517N, in the Div. of Environmental Services, effective upon passage of Council.

An Ordinance amending Section 1 of Ordinance No. 183-2016, which established the schedule of meetings for the Lexington-Fayette Urban County Council for the calendar year 2017, to add a General Government and Social Services Committee meeting on January 17 at 10:00 a.m.

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An Ordinance amending Ordinance No. 194-2016, which changed the classification of certain employees from exempt to non-exempt status, by returning

affected employees to their prior status and amending the Unclassified Civil Service authorized strength by abolishing one (1) position of Social Worker, Grade 513N, and creating one (1) position of Social Worker, Grade 513E, in the Div. of Aging and Disability Services; abolishing one (1) position of Recreation Specialist Sr., Grade 516N, and creating one (1) position of Recreation Specialist Sr., Grade 516E, abolishing three (3) positions of Extended School Program Coordinator, Grade 516N, and creating three (3) positions of Extended School Program Coordinator, Grade 516E, in the Div. of Parks and Recreation; amending the Classified Civil Service authorized strength by abolishing one (1) position of Information Officer, Grade 518N, and creating one (1) position of Information Officer, Grade 518E, in the Div. of Government Communications; abolishing one (1) position of Support Specialist Sr., Grade 519N, and creating one (1) position of Support Specialist Sr., Grade 519E, in the Div. of Computer Services; abolishing two (2) positions of Buyer, Grade 517N, and creating two (2) positions of Buyer, Grade 517E, in the Div. of Purchasing; abolishing one (1) position of Program Specialist, Grade 513N, and creating one (1) position of Program Specialist, Grade 513E, in the Div. of Engineering; abolishing one (1) position of Operations Supervisor, Grade 518N, and creating one (1) position of Operations Supervisor, Grade 518E, in the Div. of Streets and Roads; abolishing one (1) position of Program Specialist, Grade 513N, and creating one (1) position of Program Specialist, Grade 513E, in the Div. of Water Quality; abolishing two (2) positions of Social Worker Sr., Grade 516N, and creating two (2) positions of Social Worker Sr., Grade 516E, in the Div. of Aging and Disability Services; abolishing two (2) positions of Social Worker, Grade 513N, and creating two (2) positions of Social Worker, Grade 513E, in the Div. of Adult and Tenant Services; abolishing two (2) positions of Social Worker, Grade 513N, and creating two (2) positions of Social Worker, Grade 513E, abolishing nine (9) positions of Early Child Care Teacher, Grade 512N, and creating nine (9) positions of Early Child Care Teacher, Grade 512E, in the Div. of Family Services; abolishing one (1) position of Social Worker, Grade 513N, and creating one (1) position of Social Worker, Grade 513E, abolishing two (2) positions of Social Worker Sr., Grade 516N, and creating two (2) positions of Social Worker Sr., Grade 516E, in the Div. of Youth Services; abolishing one (1) position of Administrative Specialist Principal, Grade 518N, and creating one (1)

position of Administrative Specialist Principal, Grade 518E, in the Div. of Facilities and Fleet Management; abolishing four (4) positions of Recreation Supervisor, Grade 514N, and creating four (4) positions of Recreation Supervisor, Grade 514E, abolishing four (4) positions of Recreation Manager, Grade 518N, and creating four (4) positions of Recreation Manager, Grade 518E, abolishing one (1) position of Recreation Specialist Sr., Grade 516N, and creating one (1) position of Recreation Specialist Sr., Grade 516E, in the Div. of Parks and Recreation; transferring the incumbents from non-exempt to exempt positions and converting their hourly rates of pay to biweekly salaries, effective on November 28, 2016 received first reading.

Upon motion by Vice Mayor Kay, seconded by Ms. Akers, and approved by unanimous vote, the rules were suspended and the resolution received second reading.

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

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

Nay: -----0

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The following ordinance received first reading and was ordered placed on file for public inspection until January 19, 2017 for a public hearing:

An Ordinance changing the zone from an Agricultural Rural (A-R) zone to an Agricultural Natural Areas (A-N) zone, for 41.74 net (43.44 gross) acres, for property located at 8291 & 8385 Old Richmond Rd. (Boone Creek Properties, LLC; Council District 12.)

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The following ordinances received first reading and were ordered placed on file for public inspection until December 6, 2016:

An Ordinance changing the zone from a Neighborhood Business (B-1) zone to an Agricultural Rural (A-R) zone, for 3.24 net (3.76 gross) acres, for property located at 5898 Old Richmond Rd. (Erfan M. Alami (Amd.); Council District 12.)

An Ordinance changing the zone from a Neighborhood Business (B-1) zone to a Wholesale and Warehouse Business (B-4) zone for 0.75 net and gross acres of property, located at 1315 & 1353 West Main St. (portions of). (1321 W. Main, LLC; Council District 2.)

An Ordinance changing the zone from a Planned Neighborhood Residential (R-3) zone to a High Density Apartment (R-4) zone, for 0.48 net (0.58 gross) acre, for property located at 366 and 370 Glen Arvin Ave. (Lexington Home Ownership Comm II, Inc. (Amd.); Council District 2.)

An Ordinance changing the zone from a neighborhood business (B-1) zone to a High Density Apartment (R-4) zone for 2.56 net (3.0 gross) acres; and from a Professional Office (P-1) zone to a High Density Apartment (R-4) zone for 2.22 net (2.42 gross) acres for property located at 4268 Saron Drive. (Lexington Senior Housing 2, LLC; Council District 8).

An Ordinance amending Articles 19-2, 19-5, 19-7, 19-8, 19-10, 19-12, 19-13, and 19-16 of the Zoning Ordinance and Articles 1-14, 6-7, and 6-11 of the Land Subdivision Regulations to reflect revisions to the Stormwater Manual adopted by the Urban County Government.

An Ordinance changing the zone from an Agricultural Urban (A-U) zone to a Neighborhood Business (B-1) zone, for 5.79 net (7.88 gross) acres; Agricultural Urban (A-U) zone to Townhouse Residential (R-1T) zone, for 2.38 net and gross acres; Agricultural Urban (A-U) zone to a Single Family Residential (R-1D) zone, for 6.72 net and gross acres; Townhouse Residential (R-1T) zone to a Single Family Residential (R-1D) zone, for 1.49 net (1.88 gross) acres; Townhouse Residential (R-1T) zone with conditional zoning restrictions to a Townhouse Residential (R-1T) zone without conditional zoning restrictions, for 1.49 net (1.93 gross) acres; and Single Family Residential (R-1D) zone to a Townhouse Residential (R-1T) zone, for 0.26 net and gross acres, for property located at 4145 and 4235 Harrodsburg Rd. (Taylormade Real Estate, LLC (Amd.); Council District 10).

An Ordinance expanding and extending the Full Urban Services District #1 for the Urban County Government for the provision of street lighting, street cleaning, and garbage and refuse collection, to include the area defined as certain properties on the

following streets: Autumn Ridge Dr., Bay Springs Park, Blackwell Pl., Cornelius Trace, Handsboro Park, Henderson Dr., Horsemint Trl., Jacob Ct., Kavanaugh Ln., Lauderdale Dr., Lawson Ln., Magnolia Springs Dr., Marco Ln., Millstone Way, Patchen Lake Ln., Polo Club Blvd., Pompano Ln., Remington Way, Sir Barton Way, Sweet Clover Ln., Sweet Clover Park, Taborlake Cir., Taborlake Ct., Taborlake Cv., Taborlake Dr., Taborlake Pl., Taborlake Ridge, Taborlake Walk, Trailwood Ln., Tranquility Pt., and Wyndham Hills Dr.

An Ordinance expanding and extending Partial Urban Services District #5 for the Urban County Government for the provision of street lighting and garbage and refuse collection, to include the area defined as certain properties on the following streets: Hill N Dale Rd. and Fredericksburg Rd.

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. 27.

An Ordinance amending the authorized strength by creating one (1) Classified Civil Service position of Municipal Engineer Sr., Grade 525E, in the Div. of Engineering, effective upon passage of Council.

An Ordinance amending Chapter 16 of the Code of Ordinances to reflect adoption of the revised Stormwater Manual by creating Subsection 16-1(F)(70) of the Code to define engineering manuals for purposes of Chapter 16, Article X of the Code, amending Section 16-85 of the Code to adopt and incorporate the Stormwater Manual into the Code by reference, amending Subsections 16-101(C), 16-101(G), and 16-102(G) of the Code to provide that erosion and sediment control plans shall be prepared in accordance with the Stormwater Manual and engineering standard drawings, as revised, modified, or amended from time to time, amending Subsections 16-101(H), 16-102(I) and 16-103(B) to provide that a fifty foot vegetated buffer shall be maintained between land disturbance activities and the edge of any perennial or intermittent stream, wetland, sinkhole, or municipal storm sewer inlet, consistent with the revised Stormwater Manual, and amending Subsection 16-104(D)(2) of the Code to provide that stormwater pollution prevention plans shall be consistent with the

Stormwater Manual and engineering standard drawings, as revised, modified, or amended from time to time.

An Ordinance amending the authorized strength by abolishing one (1) Unclassified Civil Service position of Program Administrator, Grade 524N, and creating one (1) Unclassified Civil Service position of Clinical Services Supervisor, Grade 524E, changing the position title and transferring the incumbent from a non-exempt to an exempt position, in the Div. of Community Corrections, effective on November 28, 2016.

An Ordinance amending the Classified Civil Service authorized strength by transferring one (1) position of Deputy CIO, Grade 533E, and one (1) position of Administrative Officer Sr., Grade 526E, from the Div. of Enterprise Solutions to the Dept. of Information Technology, transferring the incumbents, effective upon passage of Council.

An Ordinance amending the Code of Ordinances of the Lexington-Fayette Urban County Government to comply with the provisions of KRS 65.8801 to KRS 65.8839, and more specifically amending Subsection 12-1(a) of the Code to provide that the Property Maintenance Code is adopted pursuant to state law and is to be interpreted in accordance with Chapter 2B of the Code; amending Subsections 12-1(b) PM-106.4.1(b), PM-107.1, PM-111.2, and PM-302.8 to provide for references to the appropriate Sections of Chapter 2B of the Code, civil fines based upon citations ranging from \$100 to \$10,000 notices of violation, and assigned hearing officers; repealing Subsection 12-1(b) PM-107.2 of the Code; repealing Sections 12-2, 12-4, 12-5, 12-6, 12-8, 12-8.3, 12-14, 12-15, 12-16, 12-68, 12-69, and 12-70 of the Code; creating a new Section 12-2 of the Code defining nuisances and including junked vehicles, rubbish, excessive weed or grass growth, ashes, debris, garbage, abandoned equipment or appliances, indoor furniture outdoors, and ice on sidewalks; renumbering Section 12-7 of the Code to Section 12-3 of the Code and amending to provide enforcement by the Commissioner of Planning, Preservation, and Development, notices of violation and citations, abatement, hearings, appeals, and liens; renumbering Section 12-8 of the Code to Section 12-4 of the Code and amending to authorize the Commissioner of Planning, Preservation, and Development to enforce Chapter 12 of the Code of Ordinances; renumbering Section 12-8.2 of the Code to 12-5 of the Code and amending



to provide for civil fine based upon the number of citations ranging from \$100 to \$1,000; renumbering Section 12-13 of the Code to 12-6 of the Code and amending to provide that the Code Enforcement Board is created pursuant to KRS 65.8801 to KRS 65.8839 and operates pursuant to Chapter 2B of the Code; amending Sections 12-60 and 12-62 of the Code to reference the correct section numbers; amending Sections 12-63 and 12-64 of the Code pertaining to public nuisances to provide for notices, abatement, citations, closures, hearings, appeals and liens pursuant to Chapter 2B of the Code and civil fines ranging from \$500 to \$5000; and amending Subsection 14-10(f)(4) of the Code to reference to the correct section numbers; all effective January 1, 2017.

An Ordinance amending the Code of Ordinances of the Lexington-Fayette Urban County Government to comply with the provisions of KRS 65.8801 et seq., and more specifically renumbering and amending the Sections of Chapter 2B of the Code to provide for the application of the Chapter to all administrative hearings related to the issuance of civil fines; definitions; limitations on board members; special or emergency meetings; administrative appeals to take place before hearing officers and establishing their eligibility, experience, and training; administrative enforcement proceedings, citations, waivers of appeals, and final orders; notification of hearings and notice of final orders, oaths, subpoenas, findings of fact, notification, appeals, and the designation of a secretary to the Board; affidavit for liens; charges, fees, and abatement costs, the rights of the property owner as to other secured parties, the institution of legal proceedings and the creation and implementation of a notification system; amending Subsections 13-73.2(1), (2), (6), (7) and (8) of the Code to provide for the application of Chapter 2B of the Code, citations, maximum fines ranging from \$25 to \$300 based upon the number of violations within any calendar year, and the ability to take an Alarm User Awareness Class in order to avoid paying a fine; amending Section 13-73.3 of the Code to provide an appeal time for warning notices, orders of suspension or revocation, or citations; amending Subsections 13-73.4(2) and (3) of the Code to provide for assigned hearing officers; amending Subsection 16-34.1(c) of the Code to provide for abatement pursuant to Chapter 2B of the Code; amending Subsections 16-50(a) and (g) of the Code to provide for the application of Chapter 2B of the Code and the issuance of maximum civil fines ranging from \$400 to \$1,000 based upon the number of citations within any

12-month period; amending Subsection 16-76.1(c) of the Code to provide for the application of Chapter 2B of the Code and repealing Subsections 16-76.1(d), (e), and (f); amending Section 16-77 of the Code to provide for assigned hearing officers and the application of Chapter 2B of the Code; amending Subsections 16-202(b) and (d) of the Code to provide for the application of Chapter 2B of the Code; amending Subsections 16-205(a), (b), and (d) of the Code to provide for the application of Chapter 2B of the Code and repealing Subsection 16-205(e); amending Subsections 16-206(c), (f) and (g) of the Code to reference Section 2B-9 of the Code, and repealing Subsections 16-206(h) and (i); amending Subsection 17-4(d) of the Code to provide for the application of Chapter 2B of the Code; amending Section 17-4.1 of the Code to reference citations and Subsection 6-8(k) of the Land Subdivision Regulations of the Zoning Ordinance, and to provide for maximum civil fines ranging from \$100 to \$500 based upon the number of citations within any 12-month period and allowing for recovery of related costs and fees; amending Sections 17-4.2 and 17-4.3 of the Code to add assigned hearing officers; amending Section 17-4.8 of the Code to reference Section 2B-9 of the Code pertaining to liens; amending Subsection 17b-13(c) of the Code to provide for maximum civil fines ranging from \$200 to \$500 based upon the number of citations within any 12-month period; all effective on January 1, 2017.

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

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

Nay: -----0

A Resolution accepting the bid of Lagco, Inc., in the amount of \$552,333, for the Meadows-Northland-Arlington Neighborhood Improvement Project, Phases 5E & 5F, for the Div. of Engineering, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Lagco, Inc., related to the bid.

A Resolution accepting the bid of Adams Contracting, LLC, in the amount of \$155,500, for Construction of a Baseball Field at Cardinal Run Park, for the Div. of

Parks and Recreation, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary agreement with Adams Contracting, LLC, related to the bid.

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

A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Civil Service Appointment: Jeffrey Carter, Deputy Director of Community Corrections, Grade 526E, \$3,782.32 biweekly in the Div. of Community Corrections, effective November 14, 2016.

A Resolution ratifying the Probationary Classified Civil Service Appointments of: Jasie Curtis, Finance and Investment Analyst, Grade 521N, \$26.622 hourly in the Dept. of Finance, effective November 28, 2016, John McElroy, Treatment Plant Operator, Grade 515N, \$21.619 hourly, and Bradley Gregory, Treatment Plant Operator, Grade 515N, \$18.514 hourly, both in the Div. of Water Quality, Richard Fowler, Traffic Signal Technician Master, Grade 518N, \$26.667 hourly in the Div. of Traffic Engineering, all effective November 21, 2016, and Janet Bolton, Zoning Enforcement Officer, Grade 516N, \$24.980 hourly in the Div. of Planning, effective November 28, 2016; ratifying the Permanent Classified Civil Service Appointments of: Deborah Woods, Administrative Specialist, Grade 513N, \$18.939 hourly in the Div. of Planning, effective November 2, 2016, William Pugh, Facilities Superintendent, Grade 518E, \$2,153.44 biweekly in the Dept. of General Services, and Kina Suarez, Human Resources Analyst, Grade 520E, \$1,909.28 biweekly in the Div. of Human Resources, both effective November 16, 2016; ratifying the Permanent Sworn Appointments of: Zachary Bowman, Jeffrey Burden, Timothy Carpenter, Quinn Chandler, Matthew Collins, Joshua Crowe, Scott Evely, Justin Gilliam, Markell Heyward, Joshua Horn, Katherine Ishmael, Eric Lomax, Joseph Lusardi, Robert McCullough, Jeremiah Morrison, Anthony Murff, Nicholas Music, Evan Northcutt, Megan Padgett, John Ringe, Rebecca Saylor, Katherine Scalf, Nicholas Stanton, Jeremiah Terry, Derrick Walton, Christopher Ward, Michael Watts, Wayne White, and Joshua Whitmer, all Police Officer, Grade 311N, \$19.567 hourly in the Div.

of Police, effective November 7, 2016; ratifying the Probationary Sworn Appointment of: Nathan Williams, Police Sergeant, Grade 315N, \$30.538 hourly in the Div. of Police, effective November 14, 2016; ratifying the voluntary demotion of: Dustin Himes, Public Service Worker Sr., Grade 509N, \$14.420 hourly in the Div. of Water Quality, effective October 31, 2016.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Louisville/Jefferson County Metro Government for CPR Training and Certification, at a cost not to exceed \$5,184.50.

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 \$148,000 Commonwealth of Ky. funds, and are for the continuation of the Litter Abatement Grant Funding Program for FY 2017, 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 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 \$446,409 Federal funds, under the 2016 Assistance to Firefighters Grant Program, and are for the Community Paramedic Pilot Program.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amended Agreement with the Drug Enforcement Administration Program Funded State and Local Task Force for assignment of two detectives.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Renewal Agreement with Baptist Health Plan, Inc., for Prescription Benefit

Administrative Services for the period beginning January 1, 2017 through December 31, 2017.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easement, releasing a portion of a force main sewer easement on the property located at 940 Higbee Mill Rd.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amended Agreement with the Dept. of Justice, the Dept. of the Treasury, for requested changes by the Dept. of Justice.

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/CTE) Partner Sponsor Agreement and an Internal Revenue Service Civil Rights Assurance, for the VITA/CTE Program at the Black and Williams Neighborhood 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 Amendment No. One (1) to the Agreement with the Cabinet for Health and Family Services, Dept. of Aging and Independent Living, to accept additional Federal funds in the amount of \$3,186 for operation of the Lexington Senior Center.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Sole Source Agreement with Routeware, Inc., a sole source provider, for continuation of the Routeware Support Program.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Service Agreement with Aker Service Co Inc. for the currency and coin counters utilized at the Div. of Community Corrections to process funds received for deposit for incarcerated offenders, at a cost not to exceed \$500 (FY 2016).

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Agreement with Bluegrass Org., Inc., formerly Bluegrass Regional Mental Health-Mental Retardation Board, Inc., for the provision of mental health services for the offender population at the Fayette County Detention Center to provide for a part-time position of Addiction Assessor, increasing the cost of the Agreement by \$26,834.16 for a total cost not to exceed \$976,905.00 for FY17.

A Resolution changing the property address numbers of 3589 Caulder Rd. to 3596 Caulder Rd., 445 Dover Rd. to 431 Dover Rd., 429 Dover Rd. to 455 Dover Rd., 3771 Briar Hill Rd. to 3775 Briar Hill Rd., 748 Raintree Rd. to 659 Raintree Rd., 128 W. Tiverton Way to 130 W. Tiverton Way, 666 Tateswood Dr. to 668 Tateswood Dr., 1021-1023 Celia Ln. to 1023 Celia Ln., 419 Georgetown St. to 417 Georgetown St., 1044-1048 Manchester St. to 1040 Manchester St, 4078 Foxe Basin Rd. to 4074 Foxe Basin Rd., 801 Oakhill Dr. to 803 Oakhill Dr., 776 Winchester Rd. to 784 Winchester Rd., 205 Clay Ave. to 207 Clay Ave. and changing the street names and property address numbers of 140 Prall St. to 625 S. Limestone, 840 Apache Trl. to 3101 Comanche Trl., 4090 Military Pike to 5426 James Ln., 1598 Calvary Ln. to 1566 Pricetown Rd., 1538 Calvary Ln. to 4757 Todds Rd., 3580 Lyon Dr. to 1096 Wellington Way, 1512 Versailles Rd. to 1575 Hill View Pl., all effective thirty days from passage.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Justice and Public Safety Cabinet, which Grant funds are in the amount of \$50,823 Commonwealth of Ky. funds, under the Victim Assistance Formula Grant, are for the creation of a new bi-lingual Victim Advocate position, for the Div. of Police, the acceptance of which obligates the Urban County Government for the expenditure of \$12,706 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 permit use of fire apparatus by the Fayette Technical Centers, Eastside Campus, for fulfillment of the Community Services Bureau Mission.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a three-year Agreement with Canteen Vending Services, for installation of vending machines at the Public Safety Operations Center, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Agreement with the Ky. Transportation Cabinet, correcting dollar amounts for the future phases of the Squires Rd. Sidewalk Project under the Congestion Mitigation and Air Quality (CMAQ) Program.

A Resolution authorizing the establishment of TAC Air as a sole source provider for the purchase of Jet A Aviation Fuel, at a discounted price for the Police Helicopter, funds are budgeted.

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Mayor Gray departed the meeting and Vice Mayor Kay assumed the Chair.

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A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following probationary Classified Civil Service Appointments: Cameron Kennedy, Equipment Operator, Grade 510N, \$14.909 hourly, effective December 12, 2016, Larry Hamilton, Treatment Plant Operator, Grade 515N, \$20.578 hourly, effective January 2, 2017, both in the Div. of Water Quality, and James Hicks, Code Enforcement Officer, Grade 516E, \$1,548.00 biweekly in the Div. of Grants and Special Programs, effective December 12, 2016, authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Community Corrections Officer Appointments: Donna Abshire, Jessica Bishop, Curtis Cheek, Vanessa Coleman, Levon Combs, Joy Floyd, Darren Goode, Chadwick Graves, Roderick Jackson, David Johnson, Cory Kilby, Corey Miller, Joshua Penny, Kenneth Randolph, Ashley Spicer, and Michael Wright, all Community Corrections Officer Recruit, Grade 109N, \$15.380 hourly in the Div. of Community Corrections, effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following Unclassified Civil Service Appointment: Donard Dwyer, Treatment Plant Operator Apprentice, Grade 509N, \$13.799 hourly in the Div. of Water Quality, effective December 12, 2016 received first reading.

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

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

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

Nay: -----0

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Eastland Legacy Center, LLC, for space within the Eastland Shopping Center located at 1301 Winchester Rd. for Central Sector Roll Call and Special Operations for the Div. of Police, at a cost not to exceed \$18,153.29 in Fiscal Year 2017 received first reading.

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

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

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

Nay: -----0

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Hunter Memorial Presbyterian Church (\$1,000), and Kidney Health Alliance of Ky, Inc. (\$700), for the Office of the Urban County Council, at a cost not to exceed the sums stated received first reading.

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

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

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

Nay: -----0

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Tri-City Painting and Contracting for the Morton House Exterior Repairs Project, increasing the contract price by the sum of



\$19,600 from \$96,400 to \$116,000 and adding ninety (90) calendar days to the construction schedule received first reading.

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

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

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

Nay: -----0

\* \* \*

Upon motion by Ms. Plomin, seconded by Ms. Henson, and approved by unanimous vote, a Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute three (3) Agreements with the Fayette Fiscal Court (Fayette County judge/executive), relating to the expenditure of County Rd. Aid Fund Program monies for Fayette County in FY 2015, FY 2016, and FY 2017; and establishing a Budget for County Rd. projects in the amount of \$2,587,934.53 was placed on the docket, received first reading, and was ordered placed on file for public inspection until December 6, 2016.

\* \* \*

The following resolutions received first reading and were ordered placed on file for public inspection until December 6, 2016:

A Resolution accepting the bid of E.C. Matthews Co. Inc., in the amount of \$328,030, for Retention Wall Repair at Kearny Hill Golf Links, for the Div. of Parks and Recreation, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with E.C. Matthews Co. Inc., related to the bid.

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 accepting the bid of EcoGro d/b/a Advanced Mulching Technologies, Inc., in the amount of \$957,009.62, for Coldstream Supplemental

Environmental Project, for the Div. of Water Quality, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with EcoGro d/b/a Advanced Mulching Technologies, Inc.

A Resolution accepting the bid of Cumberland Pipeline, LLC, in the amount of \$552,780.16, for the Paradise Lane Pump Station and Force Main, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute an Agreement with Cumberland Pipeline, LLC, related to the bid.

A Resolution accepting the bid of Clarke Power Services, Inc., establishing a price contract for Synthetic Transmission Fluid, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bids of Bob Barker Co., Inc., ICS Jail Supplies, Inc., and Victory Supply, Inc., establishing price contracts for Inmate Uniforms, for the Div. of Community Corrections.

A Resolution accepting the bid of Free Contracting, Inc., in the amount of \$1,061,237.68, for the Lower Griffin Gate Trunk Sewer, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute an Agreement with Free Contracting, Inc., related to the bid.

A Resolution ratifying the Probationary Classified Civil Service Appointments of: Rodney Guy, Equipment Operator, Grade 510N, \$16.673 hourly, effective December 12, 2016 and James Nagle, Maintenance Supervisor, Grade 519E, \$2,097.60 biweekly, both in the Div. of Water Quality, and Jennifer Lynch, Security Officer, Grade 507N, \$13.732 hourly in the Dept. of Public Safety, both effective December 5, 2016; ratifying the Permanent Civil Service Appointments of: Sam Schulte, Accountant, Grade 516N, \$19.741 hourly in the Div. of Accounting, and Jeffrey Neal, Director of Traffic Engineering, Grade 533E, \$4,060.40 biweekly in the Div. of Traffic Engineering, both effective November 16, 2016; ratifying the Unclassified Civil Service Appointments of: Jonathan Hollinger, Project Management Director, Grade 534E, \$3,903.08 biweekly in the Office of the Mayor, effective December 5, 2016, and Michael Turner, Treatment Plant Operator Apprentice II, Grade 512N, \$16.742 hourly in the Div. of Water Quality, effective December 12, 2016.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Lexington Housing Authority, providing for deposit/application fee assistance for veterans experiencing homelessness, at a cost not to exceed \$8,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the U.S. Dept. of Transportation, which Grant funds are in the amount of \$14,095,887 Federal funds, under the 2016 Transportation Investment Generating Economic Recovery (TIGER) Competitive Grant Program, are for the construction of sections (Zones 3, 4, 6, and 7) of the Town Branch Commons Project, the acceptance of which obligates the Urban County Government for the expenditure of \$3,523,972 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. Dept. of Military Affairs, Div. of Emergency Management which Grant funds are in the amount of \$98,671.20 Federal funds, under the FY 2017 Emergency Management Assistance Project, are for the support of emergency preparedness in Fayette County, the acceptance of which obligates the Urban County Government for the expenditure of \$98,671.20 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 execute Supplemental Agreement No. Five (5) with the Ky. Transportation Cabinet, for the acceptance of additional Federal funds for the Newtown Pike Extension Project in the amount of \$1,054,450 and to approve the Fourth Amendment to Agreement with Lexington Community Land Trust, Inc. for additional Federal funds in the amount of \$988,200 for operating, mitigation, and housing construction costs.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement (awarded pursuant to RFP No. 29-2016) with Stantec Architecture, Inc., for the development and implementation of a Comprehensive Facilities Usage Plan for buildings and equipment primarily used by

the Dept. of Environmental Quality and Public Works, at a cost not to exceed \$218,000.08.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) (Final) to the Contract with The Allen Co., for the Gainesway Trail Project, decreasing the contract price by the sum of \$40,025.73 from \$370,432.80 to \$330,407.07.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an amended Memorandum of Agreement with various affiliates, for a \$15.00 increased fee for processing recycled materials.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration, and any other documents necessary, and to accept a deed for the property located at 300 Quinton Ct., for construction of a wet weather storage facility, and authorizing payment in the amount of \$1,750,000, plus usual and appropriate closing costs.

Declaration of Official Intent with respect to Reimbursement of temporary advances made for capital expenditures to be made from subsequent borrowings, with respect to the Town Branch waterway.

A Resolution accepting the response of DesignWORKS to RFP No. 36-2016 Lexington Corridors Beautification Design Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with DesignWORKS to provide landscape architectural services related to the design of landscaping improvements for the North Broadway and Paris Pike Corridor and Richmond Rd. medians, at a cost estimated not to exceed \$44,750.

A Resolution accepting the response of MSK2, LLC d/b/a MKSK to RFP No. 36-2016 Lexington Corridors Beautification Design Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with MSK2, LLC d/b/a MKSK to provide landscape architectural services related to the design of landscaping improvements for the Winchester Rd. at New Circle Rd. interchange, at a cost estimated not to exceed \$23,670.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Contract with ASAP Systems, for the purchase of BarCloud Suite, an inventory management and tracking system, at a cost not to exceed \$2,899.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement (awarded pursuant to RFP No. 33-2016) with Bullhorn LLC d/b/a Bullhorn Creative, for the development of Safe Streets Marketing Materials and the promotion of motorist, cyclist, and pedestrian safety in Lexington-Fayette County, at a cost not to exceed \$40,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easement, releasing utility easements on the property located at 2585 Pascoli Pl.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Alta Planning + Design, for the purpose of developing the Lexington Area Bike and Pedestrian Master Plan Update, at a cost not to exceed \$220,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 16 to the Contract with Churchill McGee, LLC, for the Public Safety Operations Center Renovation - Phase 1B, increasing the contract price by the sum of \$26,972.44 from \$6,665,322.45 to \$6,692,294.89.

A Resolution amending Section 1 of Resolution No. 575-2016, which made conditional offers of employment, correcting the rate of pay for John Spotts, from the \$14.265 hourly to \$14.625 hourly, in the Div. of Facilities and Fleet Management, effective retroactive to September 15, 2016.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement with Brandstetter/Carroll, Inc., for architectural and engineering services for the Shillito Park Pool Expansion Project at a cost not to exceed \$46,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Amendment No. Two (2) to the Agreement with the Ky. Transportation Cabinet, for the extension of the performance period through December 31, 2019, for design of Phases IV, V, and VI of the Town Branch Trail Project, under the

Congestion Mitigation and Air Quality (CMAQ) Program, at no cost to the Urban County Government, to accept additional Federal funds, from the Ky. Transportation Cabinet, which funds are in the amount of \$616,000, under the Transportation Alternatives Program (TAP), are for the final design of Phase VI of Town Branch Trail Project, the acceptance of which obligates the Urban County Government for the expenditure of \$154,000 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. Transportation Cabinet, which Grant funds are in the amount of \$36,000 Federal funds, are for the Design Phase of the Brighton Trail Pedestrian Bridge, under the Congestion Mitigation and Air Quality (CMAQ) Program, the acceptance of which obligates the Urban County Government for the expenditure of \$9,000 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. Transportation Cabinet, which Grant funds are in the amount of \$72,000 Federal funds, are for the Design Phase of the Turn Lanes at Manchester and Forbes Rd., under the Congestion Mitigation and Air Quality (CMAQ) Program, the acceptance of which obligates the Urban County Government for the expenditure of \$18,000 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 and contingent upon the issuance of a Notice to Proceed from the Ky. Transportation Cabinet, to execute a multi-year Professional Services Agreement (awarded pursuant to RFQ No. 25-2016), with Gresham, Smith, and Partners, for the Town Branch Commons Corridor Design Services, at a cost estimated not to exceed \$929,283 in FY2017.

A Resolution directing that the payments to Blue Grass Community Foundation under the Memorandum of Agreement authorized by Resolution No. 657-2016 are to be made on a quarterly basis, and that the Foundation must provide satisfactory reporting and updates to the Lexington-Fayette Urban County Government on at least a quarterly

basis regarding how the funds have been spent and the progress of the fundraising for the Town Branch Commons Project.

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Upon motion by Mr. Stinnett, seconded by Ms. Henson, and approved by unanimous vote, the Communications from the Mayor were as follows: (1) Recommending the reappointments of Mr. William Alford and Mr. James Coles to the Airport Board with terms expiring December 1, 2020; (2) Recommending the reappointment of Mr. Rodney Lee, as Homeless or Formerly Homeless Representative, to the Homelessness Prevention and Intervention Board with term expiring December 1, 2020; (3) Recommending the reappointments of Ms. Gwen Pinson and Council Member Jennifer Scutchfield, to the Internal Audit Board, with terms expiring December 1, 2020; (4) Recommending the reappointment of Mr. John McNamara, as Kentucky Restaurant Association Representative, to the Lexington Convention and Visitors Bureau Board of Directors with term expiring December 1, 2019; (5) Recommending the appointments of Mr. Harry Ellington, as Resident Over 60 Representative, and Ms. Kelly Weber, filling an unexpired term, to the Senior Services Commission, with terms expiring December 1, 2020 and September 1, 2018 respectively; and, (6) Recommending the reappointment of Council Member Angela Evans to the Sister Cities Program Commission with term expiring December 1, 2020.

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Ms. Mossotti, who recently attended the 2016 National Foundation for Women Legislators Conference, spoke about several of the subjects discussed at the conference. Ms. Mossotti introduced Ms. Jewellan Morrison, Executive Vice President of the Unshackled by Love Ministry.

Ms. Morrison distributed informational packets to the Council members and described the work of the organization. She encouraged everyone to visit their website, [www.un-shackledbylove.org](http://www.un-shackledbylove.org).

\* \* \*

Ms. Plomin moved to place ZOTA 2016-4 into the Planning and Public Safety Committee. The motion was seconded by Ms. Henson.

The Council members discussed the motion and whether this Committee is the appropriate mechanism for the discussion that should take place. The motion failed by the following vote:

Aye:	Mossotti, Plomin, Gibbs, Kay	-----4
Nay:	Scutchfield, Stinnett, Akers, Bledsoe, F. Brown, J. Brown, Evans, Farmer, Henson, Lamb, Moloney	-----11

\* \* \*

Vice Mayor Kay departed the meeting and Mr. Stinnett assumed the chair.

\* \* \*

Mr. Timothy Walker, Etawah Dr., discussed his appearance in a film concerning homeless individuals and panhandlers. Mr. Walker described the difficulties of being homeless and suffering from mental illness, and requested that his and his wife's appearance in the video be altered so that their faces are blurred. He stated that he is humiliated and saddened by the sharing of the video.

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Ms. Joy Berry, Helmsdale Pl., requested changes to the current policy at the Fayette County Detention Center that limits the number of visitors to five distinct persons for each detainee. Ms. Karla Ring Walker ceded time to Ms. Berry.

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Mr. Mark Day, Bakers Ln., Nicholasville, talked about the sport of Ultimate Frisbee (UF), and introduced Mr. Caden Malott.

Mr. Malott described his involvement in the sport of UF and cited the benefits of this sport that allows players of all ages and genders to compete together.

Mr. Jared McKay, Christopher Ct., Richmond, talked about a league of home-schooled UF competitors, and discussed aspects of the competition, including that there are no referees.

Mr. David Wu presented a Frisbee disc to Ms. Akers, standing in for Mayor Gray, which had been signed by many players. Mr. Wu mentioned that UF is not a Kentucky High School Athletic Association sanctioned sport, but that intramural matches do occur. He stated that one of the difficulties of home-schooled children playing UF is that there are few appropriate fields.



Ms. Christy Cochran, Amberly Dr., described how the sport enhances players' lives mentally, physically, and socially.

Mr. Gabriel Knowles, Longview, talked about how he has played UF for many years. He noted that they are not asking for money from the Council, but would like consideration for future funding for appropriate playing fields.

Mr. August Dutille, Beaumont Center Cir., talked about how his experience with UF has been extremely beneficial to him as a student and how it has improved his quality of life; he noted, however, the many injuries that can occur in this non-contact sport from poor quality fields.

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Chief Kristin Chilton, Div. of Fire and Emergency Services, presented a fire disciplinary recommendation regarding Firefighter Jerrod Elam. It is alleged that Firefighter Elam has committed the offense of poor decision making which could have resulted in injury to other firefighters, in violation of KRS 95.450 (inefficiency, misconduct, insubordination or violation of law or rule) and Lexington Fire Department's Uniform Disciplinary Code 1.05, Inefficiency. The appropriate punishment for this conduct is 48 hour suspension without pay for scheduled work hours.

Upon motion of Ms. Scutchfield, seconded by Ms. Akers, the disciplinary recommendation was approved by majority vote (Vice Mayor Kay was absent for the vote).

\* \* \*

Upon motion by Ms. Bledsoe, seconded by Ms. Akers, and approved by majority vote (Vice Mayor Kay was absent for the vote), the meeting adjourned at 7:35 p.m.

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Deputy Clerk of the Urban County Council