

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky August 18, 2016

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on August 18, 2016 at 6:03 p.m. Present were Vice-Mayor Kay in the chair presiding, in the absence of Mayor Gray, and the following members of the council: J. Brown, Evans, Farmer, Gibbs, Hensley, Henson, Kay, Lamb, Moloney, Mossotti, Scutchfield, Stinnett, Bledsoe, and F. Brown. Council Member Akers was absent.

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

Ordinances No. 132-2016 through 137-2016, inclusive, and Resolutions No. 454-2016, 493-2016, and 494-2016 were reported as having been signed and published and ordered to record.

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The Council observed a moment of silence in lieu of an invocation.

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Upon motion by Mr. F. Brown, seconded by Ms. Mossotti, and approved by unanimous vote, the Minutes of the June 23, 2016 and July 7, 2016 Council Meetings were approved.

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The following ordinances received first reading and were ordered placed on file for public inspection until August 30, 2016:

An Ordinance adding a Neighborhood Design Character Overlay (ND-1) zone for 23.33 net (29.81 gross) acres, to preserve existing neighborhood character for properties located at 201-540 Clinton Rd. (Urban County Planning Commission; Council District 5).

An Ordinance changing the zone from a Single Family Residential (R-1C) zone to a Neighborhood Business (B-1) zone for 0.34 net (0.40 gross) acres, including a dimensional variance, for property located at 151 Pasadena Dr. (Dennis R. Anderson; Council District 10).

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$20,000 in the Div. of Facilities and Fleet Management from the Council Projects Funds for fabrication/installation of a new street sign at the LFUCG Versailles Rd. Campus and appropriating and re-appropriating funds, Schedule No. 4.

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. 5.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements in the Div. of Parks and Recreation for funds in the amount of \$250 from Neighborhood Development Funds for Jacobson Park tree planting, and appropriating and re-appropriating funds, Schedule No. 8.

An Ordinance closing a portion of Wilson St.; determining that the property owners abutting the portion of the street to be closed have been identified, provided with written notice of the proposed closing, and consented thereto in writing; and authorizing the Mayor, on behalf of the Urban County Government, to execute a Quitclaim Deed and any other documents necessary to transfer the former right-of-way to the abutting owners, subject to the reservation of easements.

An Ordinance amending the authorized strength by abolishing one (1) Classified Civil Service position of Equipment Operator Sr., Grade 512N, and creating one (1) Classified Civil Service position of Administrative Specialist Principal, Grade 518N, in the Div. of Streets and Roads, effective upon passage of Council.

An Ordinance amending the authorized strength by abolishing one (1) Classified Civil Service position of Technical Specialist, Grade 515N, and creating one (1) Classified Civil Service position of Digital Content Administrator, Grade 520E, in the Div. of Fire and Emergency Services, effective upon passage of Council.

An Ordinance amending the Classified Civil Service authorized strength by abolishing one (1) position of Administrative Specialist, Grade 513N, and one (1) position of Social Worker Sr., Grade 516E, and creating one (1) position of Administrative Specialist Sr., Grade 516N, and one (1) position of Case Management Coordinator, Grade 520E; reclassifying incumbents in the Div. of Adult and Tenant Services, effective upon passage of Council.

An Ordinance amending the Classified Civil Service authorized strength by abolishing one (1) position of Municipal Engineer Sr., Grade 525E, and creating one (1) position of Plant Engineering Manager, Grade 531E; reclassifying the incumbent in the Div. of Water Quality, effective upon passage of Council.

An Ordinance of the Lexington-Fayette Urban County Government authorizing the issuance of its Various Purpose General Obligation Bonds, Series 2016C, in one or more subseries, in an aggregate principal amount of \$40,085,000 (which amount may be increased or decreased by an amount of up to ten percent (10%)); approving a form of Series 2016C Bonds; authorizing designated officers to execute and deliver the Series 2016C Bonds; authorizing and directing the filing of notice with the state local debt officer; providing for the payment and security of the Series 2016C Bonds; creating

a sinking fund; creating a bond payment fund for the Series 2016C Bonds; authorizing acceptance of the bid(s) of the bond purchaser of the Series 2016C Bonds; and repealing inconsistent ordinances.

An Ordinance of Lexington-Fayette Urban County Government authorizing the issuance of Lexington-Fayette Urban County Government Various Purpose General Obligation Refunding Bonds, Series 2016D, in one or more subseries, in an aggregate principal amount of \$30,265,000, (which amount may be increased or decreased by an amount of up to ten percent (10%)) for the purpose of refunding all of the outstanding principal amount of Lexington-Fayette Urban County Government General Obligation Bonds Public Projects Refunding Bonds, Series 2006D; approving a form of bond; authorizing designated officers to execute and deliver the bonds; providing for the payment and security of the bonds; creating a bond payment fund and escrow funds; maintaining the heretofore established sinking fund; authorizing a certificate of award for the acceptance of the bid of the bond purchaser for the purchase of the Series 2016D Bonds; authorizing an Escrow Trust Agreement; and repealing inconsistent Ordinances.

Ordinance of the Lexington-Fayette Urban County Government directing the Lexington-Fayette Urban County Government Public Facilities Corp. to take certain formal actions as the agency and instrumentality and as the constituted authority of the Lexington-Fayette Urban County Government; specifically directing the issuance of, authorizing and approving the Corporation's Mortgage Revenue Refunding Bonds (Court Facilities Project), Series 2016.

An Ordinance levying ad valorem taxes for municipal purposes for the fiscal year July 1, 2016 through June 30, 2017, on the assessed value of all taxable property within the taxing jurisdictions of the Lexington-Fayette Urban County Government (all taxes on each \$100 of assessed valuation as of the January 1, 2016 assessment date), as follows: General Services District, \$.0800 on real property, including real property of public service companies, \$.0915 on personal property, including personal property of public service companies, noncommercial aircraft, and noncommercial watercraft, \$.1500 on insurance capital, \$.0150 on tobacco in storage, and \$.0450 on agricultural products in storage; Full Urban or Partial Urban Services Districts based on urban services available on real property, including real property of public service companies,

\$.1431 for Refuse Collection, \$.0210 for Street Lights, \$.0097 for Street Cleaning, \$.0920 on insurance capital, \$.0150 on tobacco in storage, \$.0450 on agricultural products in storage; abandoned urban property \$1.00; and levying an ad valorem tax for municipal purposes at the rate of \$.0880 on each \$100.00 of assessed value on all motor vehicles and watercraft within the taxing jurisdiction of the Lexington-Fayette Urban County Government as of the January 1, 2017 assessment date.

An Ordinance levying ad valorem taxes for purposes of support of the Agricultural Extension Office for the fiscal year July 1, 2016 through June 30, 2017, on the assessed value of all taxable real and personal property within the taxing jurisdiction of the Lexington-Fayette Urban County Government (all taxes on each \$100 of assessed valuation as of the January 1, 2016 assessment date), as follows: \$.0035 on all taxable real property, including real property of public service companies, \$.0038 on taxable personal property, including personal property of public service companies, noncommercial aircraft, and noncommercial watercraft, and excluding inventory in transit, insurance capital, tobacco in storage, and agricultural products in storage; and levying an ad valorem tax for purposes of support of the Agricultural Extension Office at the rate of \$.0032 on each \$100 of assessed value on all motor vehicles and watercraft within the taxing jurisdiction of the Lexington-Fayette Urban County Government as of the January 1, 2017 assessment date.

An Ordinance adopting the request of the Lexington-Fayette County Health Dept. under KRS 212.755 and levying a special ad valorem public health tax for the fiscal year July 1, 2016 through June 30, 2017, on the assessed value of all taxable real and personal property within the taxing jurisdiction of the Lexington-Fayette Urban County Government, including real and personal property of public service companies, noncommercial aircraft, noncommercial watercraft, and inventory in transit, and excluding insurance capital, tobacco in storage, and agricultural products in storage, at the rate of \$.028 on each \$100 of assessed value as of the January 1, 2016 assessment date; and levying a special ad valorem public health tax at the rate of \$.028 on each \$100 of assessed value on all motor vehicles and watercraft within the taxing jurisdiction of the Lexington-Fayette Urban County Government, as of the January 1, 2017 assessment date.

An Ordinance levying ad valorem taxes for purposes of support of the Soil and Water Conservation District for the Fiscal Year July 1, 2016 through June 30, 2017, on the assessed value of all taxable real property within the taxing jurisdiction of the Lexington-Fayette Urban County Government, including real property of public service companies, at a rate of \$.0006 on each one hundred dollars (\$100) of assessed valuation as of the January 1, 2016, assessment date.

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A Resolution accepting the bid of M3 Technology Group, Inc., in the amount of \$109,660, for the Audio Visual Systems for Phase II of PSOC, for the Div. of Emergency Management/911, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with M3 Technology Group, Inc., related to the bid received first reading.

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

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

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

Nay: -----0

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A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Civil Service Appointments: Annie L'Esperance, Technical Specialist, Grade 515N, \$20.578 hourly in the Div. of Computer Services, effective September 6, 2016, Verble Bishop, Revenue Supervisor, Grade 520E, \$2,101.12 biweekly in the Div. of Revenue, effective August 29, 2016, William Christopher, Engineering Technician, Grade 514N, \$19.131 hourly in the Div. of Engineering, and Richard Dugas, Environmental Program Manager, Grade 522E, \$2,269.20 biweekly in the Div. of Environmental Services, both effective September 6, 2016, Eric Hobson, Security Supervisor, Grade 514N, \$21.939 hourly in the Dept. of Public Safety, effective August 24, 2016, Melanie Votaw, Staff Assistant Sr., Grade 510N, \$16.124 hourly, Lafleesha Patton, Staff Assistant, Grade 508N, \$14.625 hourly,

and Malcolm Hodge, Administrative Specialist, Grade 513N, \$16.729 hourly, all in the Div. of Police, effective upon passage of Council, Lucas Young, Evidence Technician, Grade 514N, \$23.000 hourly in the Div. of Police, effective September 5, 2016, and Michelle Franzetti, Special Events Service Manager, Grade 518E, \$1,845.31 biweekly in the Div. of Parks and Recreation, effective September 6, 2016; authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Community Corrections Officer appointments: Brandon Chaney, Jacob Clark, Jessica Coffey, Carson Gentry, Samantha Gilbert, Chaz Jones, Brett Miracle, Tabitha Nixon, Wade Polly, Amber Robinson, Jacob Stack, Mitchell Taylor, Charles Vance, Nigil Wells, Rachel Wilder, Colton Wittwer, all Community Corrections Officer Recruit, Grade 109N, \$15.384 hourly in the Div. of Community Corrections, effective August 22, 2016; Eric Acton, Kimberly Alfrey, William Arnett, David Baker, Angie Barnett, M'Angel Barrera, Christopher Beard, Christian Boutte, Pamela Carson, Donovan Contreras, Denise Echevarria, Rudy Floyd, George Freitas Jr., Sarah Green, Ivon Guzman, Shawna Harris, Jessica Reese-Herbel, Melvin Hughes, Fred Johnson, Josh Larocque, Rachelly Lucio, Hannah Mavis, Michael Mills, James Mulcahy, Aiereona Palmer, Calvin Parker, Courtney Prater, James Pugh, Dominique Rawlings, Kendra Rhinesmith, Ashley Richardson, Destiny Rickman, Michael Robinson Jr., Tandy Smith, Nexus Stanton, Taylor Taulbee, Amber Taylor, Melanie Tobtaen, Maury Walker-Nash, Diona Wigand, Amber Bargo, Charles Overstreet, George White, Robbie Carpenter, all Community Corrections Officer Recruit, Grade 109N, \$15.384 hourly, effective upon passage of Council, and Hunter Hershey, Community Corrections Captain, Grade 115E, \$2,761.07 biweekly, Adam Moss and Clifford Frederick, both Community Corrections Lieutenant, Grade 114E, \$2,289.23 biweekly, and Eva Hood, Jeremy Abney, Causandra Byrd, Teresa Franklin, Steven Parker and Eric Legear, all Community Corrections Sergeant, Grade 112N, \$23.937 hourly, all in the Div. of Community Corrections, effective August 22, 2016 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. Mossotti, the resolution was approved by the following vote:

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

Nay: -----0

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Services Agreement with Roots & Heritage Festival, Inc., for 2016 Roots & Heritage Festival, at a cost not to exceed \$35,415, plus additional in-kind services 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. Henson, and seconded by Ms. Mossotti, the resolution was approved by the following vote:

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

Nay: -----0

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration and any other necessary documents, and to accept a Deed for property located at 1653 Gayle Dr. for Phase 2 of the Ft. Sumter Dr. Stormwater Improvements Project, at a cost not to exceed \$260,000 received first reading.

Upon motion by Ms. Evans, 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. Mossotti, the resolution was approved by the following vote:

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

Nay: -----0

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a multi-year service Agreement with Level 3 Communications, LLC, for the establishment of voice lines and internet service at the Public Safety Operations Center (PSOC), at an estimated cost not to exceed \$35,652.20, with future fiscal years subject to sufficient appropriation of funds received first reading.

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

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

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

Nay: -----0

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with M3 Technology Group, Inc. d/b/a Multi-Media Masters, Inc., for the Public Safety Operations Center (PSOC) audio visual systems, increasing the contract price by the sum of \$26,588.25 from \$403,971.80 to \$430,560.05 received first reading.

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

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

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

Nay: -----0

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A Resolution of the Lexington-Fayette Urban County Government authorizing the advertisement for bids and the distribution of a Preliminary Official Statement for the purchase of the principal amount of its (i) Various Purpose General Obligation Bonds,

Series 2016C, in an aggregate Principal amount of \$40,085,000 (which amount may be increased or decreased by an amount of up to ten percent (10%)); and (ii) General Obligation Refunding Bonds, series 2016D, in an aggregate Principal amount of \$30,265,000 (which amount may be increased or decreased by an amount of up to ten percent (10%)) received first reading.

Upon motion by Mr. Stinnett, 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. Mossotti, the resolution was approved by the following vote:

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

Nay: -----0

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The following resolutions received first reading and were ordered placed on file for public inspection until August 30, 2016:

A Resolution accepting the bid of Stringfellow, Inc., establishing a price contract for Hook Lift Vehicle, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bids of C.I. Thornburg Co.; Hayes Pipe Supply, Inc.; and H.D. Supply Waterworks, Ltd, establishing price contracts for Sanitary Sewer Repair Materials, for the Div. of Water Quality.

A Resolution accepting the bid of T.E.M. Group, Inc., in the amount of \$37,621, for Emergency Generator Electrical Connections, for the Div. of Water Quality.

A Resolution accepting the bid of Johnstone Supply, Inc., in the amount of \$24,536.18, for Natural Gas Boiler and Cast Iron Radiators - Parts Only, for the Div. of Water Quality.

A Resolution accepting the responses of Bluegrass Valuation Group, LLC, and Paul Moore Appraisal Services, LLC, to provide appraisal services for the Agricultural Land Easement Program pursuant to RFP No. 17-2016 and establishing price contracts, and authorizing the Mayor, on behalf of the Urban County Government, to execute any additional necessary agreements with the vendors related to the RFP.

A Resolution accepting the bid of Fuzed Solutions, LLC, establishing a price contract for Outdoor Warning Siren and AM Radio Sign Maintenance, for the Div. of Emergency Management/911.

A Resolution accepting the bids of B&H Environmental Services and Gullett Sanitation Services, Inc., establishing price contracts for Pump Station Wet Well Cleaning Services, for the Div. of Water Quality.

A Resolution ratifying the Probationary Classified Civil Service appointments of: Timothy Lee, Maintenance Mechanic, Grade 515N, \$18.428 hourly in the Div. of Water Quality, and Casey Kaucher, Traffic Engineer Manager, Grade 527E, \$2,871.04 biweekly in the Div. of Traffic Engineering, both effective August 22, 2016, Fred Stokley, Building Inspection Supervisor, Grade 521E, \$2,247.04 biweekly in the Div. of Building Inspection, effective September 5, 2016, Rhonda Hatfield, Administrative Specialist, Grade 513N, \$22.557 hourly in the Div. of Police, effective August 22, 2016, Robert Royalty, Vehicle & Equipment Technician, Grade 514N, \$17.551 hourly in the Div. of Facilities and Fleet Management, Gary Burrows, \$22.497 hourly and Gordon Gilliam, \$21.839 hourly, both Public Service Supervisor, Grade 514N, in the Div. of Parks and Recreation, effective August 22, 2016; ratifying the Permanent Civil Service Appointments of: Caleb Hubbard, Customer Service Specialist, Grade 510N, \$14.835 hourly and Anna Barrows, Information Officer, Grade 518E, \$1,805.36 biweekly, both in the Div. of Government Communications, effective July 25, 2016, Wesley Holbrook, Administrative Officer Sr., Grade 526E, \$2,960.08 biweekly in the Dept. of Finance, effective July 25, 2016, Barry Brown, Public Service Worker Sr., Grade 509N, \$14.478 hourly in the Div. of Streets and Roads, effective July 11, 2016, Wanda Wallen, Engineering Technician Sr., Grade 516E, \$1,897.44 biweekly, effective June 14, 2016, Katherine Cobb, Program Specialist, Grade 513E, \$1,438.72 biweekly, effective August 8, 2016, David Fender, Public Service Supervisor Sr., Grade 517N, \$23.130 hourly, effective May 30, 2016, and Frank Parnass, Public Service Supervisor Sr., Grade 517N, \$21.464 hourly, effective July 25, 2016, all in the Div. of Water Quality, Angela Poe, Program Manager Sr., Grade 524E, \$2,711.53 biweekly in the Div. of Environmental Services, effective January 27, 2016, Tammy Jones, Property and Evidence Technician, Grade 513N, \$22.557 hourly, effective July 25, 2016 and Brenna Angel,

Public Information Officer, Grade 523E, \$2,791.36 biweekly, effective June 28, 2016, both in the Div. of Police, and Stephanie Theakston, Program Coordinator, Grade 525E, \$2,523.13 biweekly in the Dept. of Social Services, effective May 2, 2016; ratifying the Permanent Sworn Appointments of: Randall Combs, \$29.309 hourly, effective June 14, 2016, and Amel Terry and Jervis Middleton, both \$30.538 hourly, effective July 25, 2016, all Police Sergeant, Grade 315N, in the Div. of Police; ratifying the Probationary Sworn Appointment of: John Walters, Fire Major, Grade 318E, \$3,774.08 biweekly in the Div. of Fire and Emergency Services, effective July 26, 2016.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Zonar Systems, LLC, a sole source provider, for electronic vehicle inspection reporting software, hardware and data services, at a cost not to exceed \$30,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with the Board of Education of Fayette County, Ky., for Meadowbrook Golf Course at no cost to the Urban County Government.

A Resolution approving the Fayette County Sheriff's Settlement - 2015 Taxes, for taxes collected as of April 15, 2016, and granting the Sheriff a quietus.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the Commonwealth of Ky. Justice and Public Safety Cabinet, Ky. State Police, for the acceptance of Federal funds in the amount of \$40,000, under the Ticketing Aggressive Cars and Trucks (TACT) Grant Program, the acceptance of which obligates the Urban County Government for the expenditure of \$10,000 as a local match.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Love Will, Inc., for approximately 863 square feet of space at the Black and Williams Neighborhood Center, generating an annual revenue of \$8,457.40 for the Urban County Government.

A Resolution authorizing the Div. of Fire and Emergency Services, on behalf of the Urban County Government, to purchase a Lucas II CPR assist device from Physio Control Inc., a sole source provider, at a cost not to exceed \$22,399.99.

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 Agriculture and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$1,000 Commonwealth of Ky. funds, and are for the operation of the Lexington Humane Society's Spays the Way Program, for the Lexington-Fayette Animal Care and Control.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Multi-Year Agreement with Service Express, Inc. (SEI), for maintenance and repair of IT equipment, at an estimated cost not to exceed \$23,280, with future fiscal years subject to sufficient appropriation of funds.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with the Plantory, for provision of an AmeriCorps VISTA Member, for support and services for the Office of Multicultural Affairs and the Lexington Global Engagement Center (Global Lex), at a cost not to exceed \$5,500.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Fitzsimmons Office of Architecture, Inc., for architectural and engineering services for Bell House, increasing the contract price by the sum of \$16,810 from \$14,000 to \$30,810.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with W.R. Cole and Associates, Inc., for the Kenwick Community Center Window Replacement Project, increasing the contract price by the sum of \$10,350 from \$37,600 to \$47,950.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Accreditation Agreement with the Council on Accreditation, for reaccreditation of the Dept. of Social Services, at a cost not to exceed \$26,595.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Certified Local Scholarship Grant from the Ky. Heritage Council, which Grant funds are in the amount of \$1,005 Commonwealth of Ky. funds, are for Amelia Armstrong, Historic Preservation Specialist, to attend the National Alliance of Preservation Commissions' Forum, the acceptance of which does not

obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Renewal Agreement with Omnisource Integrated Supply, LLC, for WebEOC coordinator services, at a cost not to exceed \$99,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation of a junked automobile, for use at the Div. of Fire and Emergency Services for training, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Palmer Engineering, Inc., for design of the West Loudon Ave. Streetscape Project, at a cost not to exceed \$96,600.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with CARMAN, for the design of the Squires Rd. Sidewalk Project, at a cost not to exceed \$25,935.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Environmental Demolition Group, LLC, for the Historic Courthouse Environmental Hazard Abatement Project, increasing the contract price by the sum of \$14,625 from \$360,000 to \$374,625.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a two (2) year Agreement with Smart Systems, for dishwashing chemicals, for the Child Care Food Program at the Family Care Center, at a cost not to exceed \$4,800.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and any other necessary documents, and to accept Deeds for properties located at 134, 135, and 137 Elam Park for the Elam Park Stormwater Priority Project, at a cost not to exceed \$525,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2 to the Agreement with Solid Rock Construction Services, LLC, for the Cardinal Lane Stormwater Improvements Project, Phases 1 and 3, increasing the contract price by the sum of \$20,000.00 from \$241,874.24 to

\$261,874.24 and extending the date of completion by ninety (90) calendar days, to September 26, 2016.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Accreditation Agreement with the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA), for the initial process for public safety communications accreditation for the Div. of Enhanced 911, at a cost not to exceed \$3,470.60 for FY 2017.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Emergency Management Agency, 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 \$76,125 Federal funds, \$12,180 Commonwealth of Ky. funds, under the Hazard Mitigation Grant Program, and are for the updating of the Lexington-Fayette Hazard Mitigation Plan, the acceptance of which obligates the Urban County Government for the expenditure of \$13,195 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Multi-Year Agreement with Thomson Reuters (West Publishing Corp.), for a subscription to the Clear Government Background Investigation database and services, for the Div. of Revenue, at a cost estimated not to exceed \$4,392 in FY 2017.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Group Contract with the Ky. Dept. of Parks for use of Barren River State Park facilities and services for the Div. of Parks and Recreation's Therapeutic Recreation Program, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to Trane U.S., Inc., for stormwater quality projects, at a cost not to exceed \$317,756.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit applications to the Ky. Infrastructure Authority (KIA), and to provide any additional information requested in connection with the applications, for low interest state revolving fund loans in the following amounts to

facilitate the following sanitary sewer related projects: \$9,969,585 for the Town Branch Commons Phase 1/Midland Ave. Trunk Sewer Replacement Project, \$2,355,600 for the Lower Griffin Gate Trunk Sewer Project, and \$16,888,634 for the Expansion Area Three Sanitary Sewer Infrastructure Project.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a three (3) year Service Agreement with Time Warner Cable Enterprises, LLC, for WiFi services at the Black and Williams Neighborhood Center, at a cost not to exceed \$2,792.96.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, as the Collaborative Applicant, to execute and submit the 2016 Continuum of Care Grant Application to the United States Dept. of Housing and Urban Development, to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$1,663,899 Federal funds, are for the operation of programs by community nonprofit organizations to reduce homelessness in Lexington-Fayette County, and to accept \$45,714 of the Grant funds, if the application is approved, for project planning expenses related to monitoring all programs funded by the Grant, the acceptance of which obligates the Urban County Government for the expenditure of \$12,000 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Amended Agreement with International Business Machines Corp. (IBM), to extend disaster recovery and business continuity services through December 31, 2018, at an estimated cost not to exceed \$136,020.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to the Board of Education of Fayette County, Ky., for stormwater quality projects, at a cost not to exceed \$35,000.

A Resolution establishing Deaf Link, Inc., as a sole source provider for the Accessible Hazard Alert System, and authorizing the Mayor or his designee, on behalf of the Urban County Government, to execute any necessary Agreements with Deaf

Link, Inc., related to the procurement of these goods and services, at a cost not to exceed \$33,750 for FY 2017.

A Resolution approving the Consent Agreement and Final Order with the United States Environmental Protection Agency, and authorizing the Mayor, on behalf of the Urban County Government, to execute the Consent Agreement and Final Order, at a cost not to exceed \$16,800.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Food Chain (\$500), Lexington Humane Society (\$500), Meadowthorpe Neighborhood Association, Inc. (\$500), Police Athletic/Activities League of Lexington, Inc. (\$1,000), LexArts, Inc. (\$400), Vineyard Neighborhood Corp. (\$1,165), and Lafayette Band Association (\$500), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

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Upon motion by Ms. Henson, and seconded by Mr. Farmer, the Communications from the Mayor were approved by unanimous vote and were as follows: (1) Recommending the appointment of Mr. Jimmy Emmons, as MPO Staff Representative, to the Corridors Commission with term to expire August 18, 2020; (2) Recommending the appointment of Ms. Rebecca Self, as Community At-Large Representative, to the Library Board of Advisors, with term to expire August 18, 2020; and, (3) Recommending the reappointment of Mr. Gregory Bibb, as Commerce Lexington Representative, to the Rural Land Management Board, with term to expire August 18, 2020.

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The following Communications from the Mayor were received for information only: (1) Resignation of Randy A. Schwartz, Community Corrections Officer, Grade 109N, Div. of Community Corrections, effective July 10, 2016; 2) Resignation of Tamicha Brown, Child Care Program Aide, Grade 508N, Div. of Family Services, effective July 28, 2016; 3) Resignation of Robert Jones, Skilled Trades Worker, Sr., Grade 517N, Div. of Facilities and Fleet Management, effective July 15, 2016; 4) Resignation of Gary Wayne Rothwell, Electrical Instrumentation Technician, Sr., Grade 518E, Div. of Facilities and Fleet Management, effective July 8, 2016; 5) Resignation of Sean C. Donaldson, Trades Worker, Grade 509N, Div. of Parks and Recreation,

effective July 11, 2016; 6) Resignation of Christopher Edward Sharon, Treatment Plant Operator, Grade 515N, Div. of Water Quality, effective July 27, 2016; 7) Resignation of Joshua Ward, Community Corrections Officer, Grade 109N, Div. of Community Corrections, effective July 8, 2016; 8) Resignation of Richard Todd Gotcher, Fire Recruit, Grade 310N, Div. of Fire and Emergency Services, effective July 12, 2016; 9) Resignation of Brian M. Chitti, Environmental Inspector, Grade 516N, Div. of Water Quality, effective July 22, 2016; 10) Resignation of Kerman Calvin Holland II, Community Corrections Recruit, Grade 109N, Div. of Community Corrections, effective July 17, 2016; 11) Reinstatement of Norman Sinclair, Public Service Worker, Grade 507N, \$14.316 hourly in the Div. of Parks and Recreation, effective July 11, 2016; 12) Reinstatement of Kasey Sennett, Police Officer Recruit, Grade 311N, \$18.600 hourly in the Div. of Police, effective August 22, 2016; 13) Classified Civil Service Lateral Transfer of Gary Young, Custodial Worker, Grade 505N, \$12.584 hourly in the Div. of Youth Services, effective July 25, 2016 from the Div. of Facilities and Fleet Management; 14) Classified Civil Service Temporary/Acting Appointment of Elizabeth Lewis, Director of Budgeting, Grade 532E, \$3,468.16 biweekly in the Div. of Budgeting, effective July 6, 2016; and, 15) Classified Civil Service Temporary/Acting Appointment of James Nagle, Maintenance Supervisor, Grade 519E, \$2,097.60 biweekly in the Div. of Water Quality, effective June 13, 2016.

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Ms. Mossotti recognized Security Officer Garrett Mundy, Dept. of Public Safety, congratulating him on his position at the new Senior Citizens' Center and thanking him for his 20 years of service at the Government Center. Officer Mundy described his approach to work, and expressed his eagerness to commence his new role at the Senior Citizens' Center.

Ms. Lamb thanked Officer Mundy for his kindness, and expressed how lucky the Lexington-Fayette Urban County Government and its employees at the Government Center have been to have benefited from his service.

Mr. Moloney thanked Officer Mundy as well.

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Upon motion by Ms. Bledsoe, seconded by Ms. Lamb, and approved by unanimous vote, the proposed Grant Guidelines, Policy and Process for the Economic Development and Workforce Development Grant were referred to the Budget, Finance and Economic Development Committee.

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Mr. Farmer welcomed Officer Mundy to the 5th District and commented that his kind demeanor and understanding of people is an essential benefit to the community members who interact with him.

Mr. Farmer thanked Vice Mayor Kay for his contributions to the discussion of taxing in a recent meeting, and spoke of his desire to begin Council Meetings with an invocation.

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Mr. Farmer spoke about the addition of a security rope in the Council Chamber.

Mr. F. Brown moved to remove the rope from the Council Chamber. The motion was seconded by Ms. Bledsoe.

The Council discussed the recent addition of the rope, and Mr. Dean Marcum, Dept. of Public Safety, responded to questions.

The motion was approved by unanimous vote.

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Ms. Henson echoed the appreciation for Officer Mundy and stated he will always be welcome in the 11th District.

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Upon motion by Ms. Scutchfield, seconded by Ms. Henson, and approved by majority vote (Mr. Farmer was absent for the vote), House Bill 422 was placed into the Planning and Public Safety Committee for the October 11, 2016 meeting.

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Mr. Stinnett discussed building security and thanked Mr. Marcum for his response to security issues. He thanked Chief Mark Barnard for the work he does and thanked the employees of the Div. of Police for their work as well.

The Council discussed the leadership and community of public safety officials in Lexington, and discussed ways in which strong relationships with residents and community leaders can be made even stronger.

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Mr. Moloney spoke about improving Lexington schools.

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Battalion Chief Todd Samuelson, Div. of Fire and Emergency Services, presented a disciplinary recommendation regarding Firefighter Brooks Fitzpatrick. It is alleged that Firefighter Fitzpatrick has committed the offense of AWOL, 1st Offense, a violation of UDG 1.11 and in violation of KRS 95.450 (inefficiency, misconduct, insubordination or violation of law or rule and the LFUCG Uniform Disciplinary Code in that on the 29th day of June, 2016, he allegedly committed offenses outlined in IA Case 2016-AWOL-0006, reviewed by the Fire Chief on June 30, 2016. The appropriate punishment for this conduct is Written Reprimand.

Upon motion of Mr. F. Brown, seconded by Ms. Henson, the disciplinary recommendation was approved by majority vote (Mr. Farmer was absent for the vote).

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Assistant Chief Ron Compton, Div. of Police, presented a disciplinary recommendation regarding Officer Roman A. Sorrell. It is alleged Officer Sorrell has committed the offense of Social Media – On-the-Job Use – Division-Sanctioned Use in violation of KRS 95.450 and General Order 2011-01, Section IV, Sub-Section 3, A, 3, in that on the 9th day of June, 2016 he allegedly took a photograph of his Mobile Data Computer monitor and then placed that photograph on a social media website. This photograph contained law enforcement sensitive information and was released without authorization. The appropriate punishment for this conduct is Written Reprimand.

Mr. F. Brown made a motion, seconded by Mr. Hensley, to approve the disciplinary recommendation.

Ms. Mossotti asked for further information about the offense. Assistant Chief Compton responded.

The disciplinary recommendation was approved by majority vote (Mr. Farmer was absent for the vote).

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Assistant Chief Compton presented a disciplinary recommendation regarding Officer Jerry Parsons. It is alleged Officer Parsons has committed the offense of Reporting for Duty in violation of KRS 95.450 and General Order 1973-02/I, Disciplinary Procedures, Appendix B, Operational Rules, Section 1.08, in that on the 9th and 10th of June, 2016, he allegedly was assigned to the Bureau of Investigation Backgrounds Unit on a temporary assignment during the week of June 6th - 10th, 2016. The scheduled hours for Officer Parson's assignment were Monday through Friday 0800-1600 hours. The backgrounds process concluded on Tuesday, June 7th, 2016, so the rest of the week, Officer Parsons and the other officers on temporary assignment were used to clear out old records from the old ABC Office; this assignment began on Wednesday June 8th, 2016. On Thursday, June 9th, 2016, Sergeant Sell and the other officers met at the former ABC Office but Sergeant Sell did not notice Officer Parsons was missing until the end of the day and planned to address his absence when he arrived for work the next day. On Friday, June 10th, 2016, Officer Parsons did not report for work again and was contacted by Sergeant Sell via telephone that same morning. Officer Parsons advised he did not receive notification and believed he was not needed. Officer Parsons further advised he must have been confused about his days off and in his memo Officer Parsons advised he saw the transfer order and thought he was transferred back to his Patrol assignment. The transfer was not effective until Monday, June 13th, 2016. Officer Parsons should have been aware he is required to work a 40-hour work week. In this case, Officer Parsons worked 24 hours and should have recognized he still had to work 16 hours or taken approved leave time, whether it was for Investigation or Patrol. The appropriate punishment for this conduct is 20 Hours Suspension Without Pay.

Upon motion of Ms. Henson, seconded by Ms. Mossotti, the disciplinary recommendation was approved by majority vote (Mr. Farmer was absent for the vote).

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Assistant Chief Compton presented a police disciplinary recommendation regarding Officer Jerry Parsons. It is alleged Officer Parsons has committed the offense of Misconduct in violation of KRS 95.450 and General Order 1973-02/I, Disciplinary Procedures, Appendix B, Operational Rules, Section 1.02, in that on the 19th day of

June, 2016 he allegedly, while acting in an off-duty capacity with his personal business, utilized his personal e-mail to correspond with Mr. Greg Walker over a complaint Mr. Walker had with the services provided by Officer Parsons. At the time of the service and correspondence, Officer Parsons was recognized by Mr. Walker to be a Lexington Police Officer. On June 19th, 2016, Officer Parsons replied to an e-mail he received from Mr. Walker and, in that response, Officer Parsons used both inappropriate language and a demeaning photograph that reflected poorly on himself as an officer as well as reflecting poorly on the Lexington Police Department as a whole. The appropriate punishment for this conduct is written reprimand.

Mr. F. Brown made a motion, seconded by Ms. Mossotti, to approve the disciplinary recommendation.

Ms. Evans asked for further information about the offense. Assistant Chief Compton responded.

The disciplinary recommendation was approved by unanimous vote.

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Assistant Chief Compton presented a police disciplinary recommendation regarding Officer Olivia Loyd. It is alleged Officer Loyd has committed the offense of Operation of Vehicles in violation of KRS 95.450 and G.O. 1973-02/I, Disciplinary Procedures, Appendix B, Operational Rules, Section 1.13 in that on the 16th day of June, 2016 she allegedly was operating her marked Lexington Police Department cruiser with emergency equipment activated when she was involved in a collision at the intersection of Main Street and S. Upper Street. At the time of the collision, Officer Loyd was responding to assist another officer who was out with an armed subject. Prior to the collision, Officer Loyd was traveling West on Main Street approaching S. Upper Street when she failed to properly slow or stop at the red light to allow motorists on S. Upper Street the opportunity to hear and observe her vehicle with emergency equipment activated. As a result, motorists traveling on S. Upper Street could not yield the right of way to her police vehicle. Video indicates Officer Loyd failed to properly clear the intersection of Main Street and S. Upper Street in a careful and prudent manner before she proceeded into the intersection which resulted in the collision. The appropriate punishment for this conduct is Written Reprimand and Driver Re-Training.

Upon motion of Ms. Henson, seconded by Ms. Mossotti, the disciplinary recommendation was approved by unanimous vote.

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Ms. Lamb spoke about disciplinary hearings in general and transparency with the public. She commended the Div. of Fire and Emergency Services and the Div. of Police for their work, and spoke of continuing discussions to better our processes.

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Upon motion by Mr. Stinnett, seconded by Ms. Scutchfield, and approved by unanimous vote the meeting adjourned at 7:17 p.m.

Clerk of the Urban County Council