

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky April 23, 2020

Due to the COVID-19 pandemic, state of emergency and Governor Beshear's Executive Orders regarding social distancing, this meeting of the Urban County Council is being held via video-teleconference pursuant to Senate Bill 150 (as signed by the Governor on March 30, 2020) and Attorney General Opinion 20-05, and in accordance with KRS 61.826, because it is not feasible to offer a primary physical location for the meeting.

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in special session on April 23, 2020 at 6:00 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the council: Ellinger, Evans, Farmer, Kay, Lamb, McCurn, Moloney, Mossotti, Plomin, Reynolds, Swanson, Worley, Bledsoe, F. Brown, and J. Brown.

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

Ordinances No. 32-2020 through 37-2020, inclusive, and Resolutions No. 179-2020 through 182-2020, inclusive, were reported as having been signed and published and ordered to record.

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The Invocation was given by Council Member and Pastor Fred Brown.

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The following ordinances received first reading and were ordered to be placed on file for public inspection until May 7, 2020:

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. 43.

An Ordinance of Lexington-Fayette Urban County Government authorizing the issuance of Lexington-Fayette Urban County Government Various Purpose General Obligation Refunding Bonds, in one or more subseries, for the purpose of refunding all or a portion of certain outstanding general obligation bonds of the Lexington-Fayette Urban

County Government including, but not limited to, the outstanding general obligation bonds listed on exhibit A hereto; 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 refunding obligations; authorizing an escrow trust Agreement; and repealing inconsistent Ordinances.

Repeal of Ordinance No. 34-2020 which authorized the issuance of Lexington-Fayette Urban County Government General Obligation Pension Funding Refunding Bonds, Series 2020A (federally taxable), in one or more subseries in an aggregate principal amount of \$17,775,000 for the purpose of refunding all or a portion of the outstanding principal amount of Lexington-Fayette Urban County Government Taxable General Obligation Pension Funding Bonds, Series 2012A and authorizing other matters with respect thereto.

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A Resolution accepting the bid of C3 Mechanical, LLC, in the amount of \$189,500, for HVAC Replacement at Lyric Theatre, for the Dept. of General Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with C3 Mechanical, LLC, related to the bid received first reading.

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

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

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

Nay: -----0

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A Resolution accepting the bid of Constellation Newenergy - Gas Div., LLC, establishing a price contract for natural gas supplied pursuant to Columbia Gas of Ky., Inc.'s delivery service tariff, in an amount not to exceed the Natural Gas price at the time of requested delivery based on rates established by the New York Mercantile Exchange

(NYMEX) plus \$0.00 per decatherm for a term not to exceed 24 months, for the Div.s of Waste Management and Community Corrections; and accepting the bid of Constellation Energy Gas Choice, LLC, establishing a price contract for the supply of natural gas under the SVGTS Tariff (Columbia Gas of Ky., Inc.) At multiple Lexington-Fayette Urban County Government facilities, contingent upon a fixed price not to exceed \$4.85 per Mcf for a period of up to 36 months, and authorizing the Mayor, on behalf of the Urban County Government, to execute any documents related to the bids received first reading.

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

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

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

Nay: -----0

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The following resolutions received first reading and were ordered to be placed on file for public inspection until May 7, 2020:

A Resolution accepting the bid of Brandeis Machinery & Supply Co., in the amount of \$38,871.28, for Light Towers, for the Div. of Police.

A Resolution accepting the bid of E.C. Matthews Co., Inc., in the amount of \$128,400, for Richmond Rd. Phase Two Corridor Landscape Project, for the Div. of Environmental Services, 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 E.C. Matthews Co., Inc., in the amount of \$112,700, for Versailles Rd. Welcome Sign, for the Div. of Environmental Services, 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 Davis H. Elliot Construction Co., Inc., establishing a price contract for Inductive Loop Vehicle Detection, for the Div. of Traffic Engineering.

A Resolution ratifying the Permanent Civil Service Appointments of: Deon Smither, Trades Worker Sr., Grade 511N, \$15.915 hourly in the Div. of Streets and Roads,

effective February 26, 2020; Andrew Mains, Public Service Worker Sr., Grade 509N, \$15.547 hourly in the Div. of Streets and Roads, effective March 3, 2020; Joyce Rifenbark, Telecommunicator Sr., Grade 517N, \$22.037 hourly in the Div. of Enhanced 911, effective April 14, 2020; Kristi McIntosh, Telecommunicator Sr., Grade 517N, \$20.724 hourly in the Div. of Enhanced 911, effective March 16, 2020 and John Harris Jr., Fleet Parts Specialist Sr., Grade 513N, \$17.049 hourly in the Div. of Facilities and Fleet Management, effective March 16, 2020; ratifying the Permanent Sworn Appointments of: Jacob Dixon, Police Officer, Grade 311N, \$21.695 hourly in the Div. of Police, effective March 31, 2020; and ratifying the Classified Civil Service demotions of: Judith Cox, Telecommunicator Sr., Grade 517N, \$21.271 hourly in the Div. of Enhanced 911, effective April 13, 2020; Darren Lizer, Vehicle & Equipment Technician, Grade 514N, \$20.339 hourly in the Div. of Facilities and Fleet Management, effective March 16, 2020.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Riskmaster Accelerator Amazon Web Services Software as a Service Access Agreement, Work Order No. 8, with Computer Sciences Corporation for the Riskmaster Upgrade Project, adding fifteen (15) hours of project management services and increasing the Contract price by the sum of \$2,475 from \$35,525 to \$38,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Agreement with ATS Construction for the Polo Club Boulevard Rd. Project, decreasing the Contract price by the sum \$20,151.87 from \$2,809,352.40 to \$2,789,200.53.

A Resolution establishing Accruent as a sole source provider, for host and support of a computer maintenance management system (maintenance connection), for the Div. of Parks and Recreation and authorizing the Mayor or her designee, on behalf of the Urban County Government, to execute any necessary Agreements with Accruent, related to the procurement of these goods and services, at a cost not to exceed \$97,696.81.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a lease Agreement with Bluegrass Community Health Center, for the space located at 1306 Versailles Rd. at a cost not to exceed \$138,375.

A Resolution authorizing the Div. of Water Quality, on behalf of the Urban County Government, to purchase two (2) Sulzer ABS Submersible Pumps for the Town Branch

Waste Water Treatment Plant, from Southern Sales Co., Inc., a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Southern Sales Co., Inc., related to the procurement, at a cost estimated not to exceed \$88,640.

A Resolution establishing Rave Mobility Safety, as a sole source provider for the purchase of Smart911 Software, for the Div. of Enhanced 911, and authorizing and directing the Mayor or her designee, on behalf of the Urban County Government, to execute any necessary Agreements with Rave Mobility Safety related to the procurement of this software, at a cost not to exceed \$72,000.

A Resolution authorizing the Div. of Police, on behalf of the Urban County Government, to accept Thoroughbred Aviation, Bell Helicopter Service, as a sole source provider, for service of the police helicopter.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Statement of Work with Cooperative Personnel Services d/b/a CPS HR Consulting, for written examination development, exam administration, and assessment services, for the Fire Lieutenant, Fire Captain, and Fire major promotional processes in the Div. of Fire and Emergency Services, at a cost not to exceed \$142,500.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation of cleaning and sanitizing services from SERVEPRO for the Div. of Fire and Emergency Services and to execute any necessary documents relating to the acceptance the donation, at no cost to the Urban County Government.

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The following Communications from the Mayor were received for information only:
(1) Probationary Classified Civil Service Appointment of William Gahafer, Engineering Technician Sr., Grade 516N, \$22.400 hourly, in the Div. of Water Quality, effective April 27, 2020; (2) Probationary Classified Civil Service Appointment of Austin Zahn, Resource Recovery Operator, Grade 513N, \$17.049 hourly, in the Div. of Waste Management, effective April 27, 2020; (3) Probationary Classified Civil Service Appointment of Brian Wright, Resource Recovery Operator, Grade 513N, \$18.171 hourly, in the Div. of Waste Management, effective April 13, 2020; (4) Probationary Classified Civil Service Appointment of Amy Summerhays, Staff Assistant, Grade 508N, \$14.918 hourly, in the

Div. of Revenue, effective April 6, 2020; (5) Probationary Classified Civil Service Appointment of Kayla Gray, Staff Assistant Sr., Grade 510N, \$15.293 hourly, in the Div. of Revenue, effective April 20, 2020; (6) Probationary Classified Civil Service Appointment of Tracy Ballard, Equipment Operator Sr., Grade 512N, \$17.753 hourly, in the Div. of Streets and Roads, effective May 4, 2020; (7) Probationary Classified Civil Service Appointment of Charles Jennette, Trades Worker Sr., Grade 511N, \$15.954 hourly, in the Div. of Streets and Roads, effective April 13, 2020; (8) Probationary Classified Civil Service Appointment of Mark Hutchens, Equipment Operator Sr., Grade 512N, \$16.887 hourly, in the Div. of Streets and Roads, effective May 4, 2020; (9) Probationary Classified Civil Service Appointment of Timothy Smith, Public Works Apprentice, Grade 504N, \$13.000 hourly, in the Div. of Streets and Roads, effective May 4, 2020; (10) Probationary Classified Civil Service Appointment of Vivian Davis, Resource Recovery Operator, Grade 513N, \$18.200 hourly, in the Div. of Waste Management, effective May 11, 2020; (11) Probationary Classified Civil Service Appointment of Gregory James, Resource Recovery Operator, Grade 513N, \$17.191 hourly, in the Div. of Waste Management, effective April 20, 2020; (12) Probationary Classified Civil Service Appointment of Jeffrey Welch, Resource Recovery Operator, Grade 513N, \$19.038 hourly, in the Div. of Waste Management, effective upon passage of Council; (13) Probationary Classified Civil Service Appointment of Austin Madry, Resource Recovery Operator, Grade 513N, \$19.038 hourly, in the Div. of Waste Management, effective April 20, 2020; (14) Probationary Classified Civil Service Appointment of John Clay, Resource Recovery Operator, Grade 513N, \$17.745 hourly, in the Div. of Waste Management, effective April 20, 2020; (15) Probationary Classified Civil Service Appointment of April Wallace, Resource Recovery Operator, Grade 513N, \$17.511 hourly, in the Div. of Waste Management, effective April 20, 2020; (16) Probationary Classified Civil Service Appointment of Nakisha Ross, Resource Recovery Operator, Grade 513N, \$17.546 hourly, in the Div. of Waste Management, effective upon passage of Council; (17) Probationary Classified Civil Service Appointment of Shaun Swanner, Skilled Trades Worker, Grade 515N, \$20.990 hourly, in the Div. of Facilities and Fleet Management, effective April 20, 2020; (18) Probationary Classified Civil Service Appointment of Keith Downing, Financial Coordinator, Grade 516N, \$21.000 hourly, in the Div. of Grants and

Special Programs, effective April 20, 2020; (19) Probationary Community Corrections Officer Appointment of Jacob Farmer, Community Corrections Officer Recruit, Grade 109N, \$15.384 hourly, in the Div. of Community Corrections, effective May 11, 2020; (20) Probationary Community Corrections Officer Appointment of James Fee, Community Corrections Officer Recruit, Grade 109N, \$15.384 hourly, in the Div. of Community Corrections, effective May 11, 2020; (21) Probationary Community Corrections Officer Appointment of Diandre Goodwin, Community Corrections Officer Recruit, Grade 109N, \$15.384 hourly, in the Div. of Community Corrections, effective May 11, 2020; (22) Probationary Community Corrections Officer Appointment of Timothy Anderson, Community Corrections Officer Recruit, Grade 109N, \$15.384 hourly, in the Div. of Community Corrections, effective May 11, 2020; (23) Probationary Community Corrections Officer Appointment of William Wedding, Community Corrections Officer Recruit, Grade 109N, \$15.384 hourly, in the Div. of Community Corrections, effective May 11, 2020; (24) Probationary Community Corrections Officer Appointment of Edgar Wagner, Community Corrections Officer Recruit, Grade 109N, \$15.384 hourly, in the Div. of Community Corrections, effective May 11, 2020; (25) Probationary Community Corrections Officer Appointment of Amber Eversole, Community Corrections Officer Recruit, Grade 109N, \$15.384 hourly, in the Div. of Community Corrections, effective May 11, 2020; (26) Probationary Community Corrections Officer Appointment of Monyreth Thachan, Community Corrections Officer Recruit, Grade 109N, \$15.384 hourly, in the Div. of Community Corrections, effective May 11, 2020; (27) Probationary Sworn Appointment of Darin Salyer, Police Lieutenant, Grade 317E, \$3,346.89 biweekly, in the Div. of Police, effective April 27, 2020; (28) Probationary Sworn Appointment of Nicholas Whitcomb, Police Sergeant, Grade 315N, \$32.408 hourly, in the Div. of Police, effective April 27, 2020; (29) Unclassified Civil Service Appointment of Madelyn Madden, Staff Assistant Sr., Grade 510N, \$14.817 hourly, in the Div. of Family Services, effective March 30, 2020; (30) Unclassified Civil Service Appointment of William Jones, Resource Recovery Operator, Grade 513N, \$17.632 hourly, in the Div. of Waste Management, effective upon passage of Council; (31) Unclassified Civil Service Appointment of Deanna Alford, Treatment Plant Operator Apprentice, Grade 509N, \$14.967 hourly, in the Div. of Water Quality, effective April 13, 2020; (32) Classified Service Temporary Appointment

of Russell Scott, Program Manager Sr., Grade 524E, \$2,812.32 biweekly, in the Div. of Waste Management, effective March 13, 2020; (33) Classified Service Temporary Appointment of Leon Powell, Facilities Manager, Grade 523E, \$2,373.36 biweekly, in the Div. of Community Corrections, effective April 1, 2020; (34) Termination of Joshua L. Tevis, Public Works Apprentice, Grade 504N, in the Div. of Streets and Roads, effective April 1, 2020; (35) Termination of Inna Malyk, Juvenile Probation Officer, Grade 515N, in the Div. of Youth Services, effective March 26, 2020; (36) Resignation of Kay Willie Lewis, Program Manager Sr., Grade 524E, in the Div. of Waste Management, effective March 12, 2020; (37) Resignation of Wayne Allen Kerns, Equipment Operator Sr., Grade 512N, in the Div. of Streets and Roads, effective March 17, 2020; (38) Resignation of Thomas Kyle Lund, Police Officer, Grade 311N, in the Div. of Police, effective March 18, 2020; (39) Resignation of Jeffrey Mark Burden, Jr., Police Officer, Grade 311N, in the Div. of Police, effective March 18, 2020; (40) Resignation of Tina Gdowski, Administrative Specialist Sr., Grade 516N, in the Div. of Revenue, effective April 2, 2020; (41) Resignation of Martha Begley, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective March 1, 2020; (42) Resignation of Andrew Scott Arnold, Trades Worker, Grade 509n, in the Div. of Parks and Recreation, effective March 13, 2020; (43) Resignation of Matthew Gdowski, Software Developer, Grade 520N, in the Div. of Computer Services, effective April 2, 2020; (44) Resignation of Brandon Neal, Public Service Worker Sr., Grade 509N, in the Div. of Streets and Roads, effective April 7, 2020; (45) Resignation of Jacob Stephens, Municipal Engineer Sr., Grade 525E, in the Div. of Engineering, effective March 6, 2020; (46) Resignation of Michael Rowe, Maintenance Mechanic, Grade 515N, in the Div. of Water Quality, effective March 2, 2020; (47) Resignation of Brody Robinson, Community Corrections Officer, Grade 100N, in the Div. of Community Corrections, effective March 18, 2020; (48) Resignation of Mark Reynolds, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective March 23, 2020; (49) Resignation of Jonathan Sparks, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective April 4, 2020; (50) Resignation of Derrick Noe, Police Officer, Grade 311N, in the Div. of Police, effective March 6, 2020; (51) Resignation of Taylor Andrews, Community Corrections Officer, Grade 109N, in the Div. of Community Corrections, effective April 3, 2020; and,

(52) Resignation of Larry Hutcherson, Community Corrections Officer, Grade 109N, in the Div. of Community Corrections, effective April 8, 2020.

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Mr. James Brown requested that a video be played for the public. The video was a compilation of many of the Council Members and the Mayor thanking the community for their strength, commitment to the city and each other, and their resilience during the current COVID-19 pandemic. Mr. J. Brown thanked the children who appeared in the video with him and remarked on the opportunity to speak to the community through the video.

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Ms. Plomin spoke about the process to edit and air the video on local stations across the community. She also shared information about a volunteer opportunity to assist the community during the pandemic: Lamar Advertising has planned to make hospital gowns out of recycled material Friday, April 24, 2020, at 9:00 a.m. on Fortune Dr.

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Mr. Moloney expressed gratitude to the first responders, waste management, and sanitation employees. He also spoke about his opposition to the proposed General Obligation Bonds, which received first reading.

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Mr. Farmer requested that, in celebration of his wife's birthday, the Council serenade her with a rendition of *The Birthday Song*, which was acquiesced. A warm, albeit cacophonous, interpretation was shared.

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Upon motion by Ms. Mossotti, seconded by Ms. Plomin, and approved by unanimous vote, the meeting adjourned at 6:27 p.m.

