

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky June 20, 2019

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on June 20, 2019 at 6:09 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the council: Evans, Farmer, Gibbs, Kay, Lamb, McCurn, Moloney, Mossotti, Plomin, Reynolds, Bledsoe, F. Brown, J. Brown, and Ellinger. Absent was Council Member Worley.

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

Ordinances No. 33-2018 through 37-2018, inclusive, and Resolutions No. 272-2018 through 303-2018, inclusive, were reported as having been signed and published and ordered to record.

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky June 20, 2019

The Invocation was given by Council Member Fred Brown.

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Upon motion by Mr. Ellinger, seconded by Ms. Plomin, and approved by unanimous vote, the Minutes of the June 6, 2019 Council Meeting were approved.

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Mayor Gorton asked Chief Kristin Chilton, Div. of Fire and Emergency Services, to join her at the podium, along with several members of the Special Operations Unit. Mayor Gorton talked about the participation of Lexington firefighters and paramedics in a joint operation with the cities of Winchester and Stanton to rescue a Powell County homeowner who became trapped as the result of a mudslide. Mayor Gorton read a proclamation declaring June 20, 2019 as Helping Our Neighbors Day in Lexington, and presented Spirit of Lexington Awards to Captain Ryan Hogsten, Lieutenant Douglas Hargreaves, Battalion Chief Robert Larkin, and Firefighters John Gentry, Curtiss Herd, Justin Villanueva, Gregg Shroyer, and Stephen "Mike" Kinney.

Chief Chilton spoke of her admiration for the Special Operations Unit and how its extensive training is reflected in a successful outcome like this one.

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Mr. Worley joined the meeting.

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Mayor Gorton invited Ms. Lamb, Mr. Clayton Burchell, and Mr. Glenn Means to join her at the podium. Mayor Gorton described the wide-ranging community involvement of the Imperial Court of Kentucky, a non-profit organization that serves the LGBTQ community in central Kentucky. Its successful fundraising efforts have allowed it to endow services that support our most vulnerable citizens, including organizations such as Moveable Feast, AIDS Volunteers of Lexington, CASA of Lexington, Arbor Youth Services, and Big Brothers/Big Sisters, along with many others. Mayor Gorton read a proclamation naming June 20, 2019 as Imperial Court of Kentucky Day in Lexington.

Ms. Lamb thanked the Imperial Court, particularly Mr. Burchell and Mr. Means, for all of the work that they do in the community. Ms. Lamb displayed photographs of some of the fundraising events put on by the Imperial Court.

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Mayor Gorton asked Mr. Jeremy Smith and Ms. Lyndy Franklin Smith to join her at the podium, where she talked about the Lexington Theatre Company (LTC), describing support and mentorship to new performers. Mayor Gorton read a proclamation declaring June 20, 2019 as Lexington Theatre Company Day in Lexington.

Ms. Smith talked about her own theatre aspirations and how those aspirations and life experiences inspired her and her husband to create the LTC. She thanked the Council and the Mayor for the recognition.

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Mayor Gorton invited Commissioner Geoffrey Reed, Dept. of General Services, to join her at the podium. She thanked Comm. Reed for his long service to the government and his years with the LFUCG, and she declared May 20, 2019 as Geoff Reed Day in Lexington.

Comm. Reed thanked the Mayor and the Council for the recognition and talked about how much he has enjoyed working at the LFUCG. He thanked Mayor Gorton, Former Mayor Jim Gray, and Chief Administrative Officer Sally Hamilton for making the work lighter and more enjoyable.

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The following ordinance received second reading. Upon motion by Vice Mayor Kay, and seconded by Ms. Evans, the ordinance was approved by the following vote:

Aye: Evans, Farmer, Gibbs, Kay, Lamb, McCurn, -----14
Moloney, Mossotti, Reynolds, Worley,
Bledsoe, F. Brown, J. Brown, Ellinger

Nay: Plomin -----1

An Ordinance amending Section 18-148 of the Lexington-Fayette Urban County Code of Ordinances to allow electric bicycles and electric motor-assisted scooters on bicycle paths; amending Section 18-25 of the Lexington-Fayette Urban County Code of Ordinances to add drivers of electric bicycles and electric motor-assisted scooters to the requirements provided therein; and creating Chapter 17D of the Lexington-Fayette Urban

County Code of Ordinances to regulate dockless vehicles within the public right-of-way and individuals operating electric bicycles and electric motor-assisted scooters; all effective upon passage of Council.

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The following ordinance received second reading. Upon motion by Vice Mayor Kay, and seconded by Ms. Evans, the ordinance was approved by the following vote:

Aye: Evans, Farmer, Gibbs, Kay, Lamb, McCurn, -----14
Mossotti, Plomin, Reynolds, Worley, Bledsoe,
F. Brown, J. Brown, Ellinger

Nay: Moloney -----1

An Ordinance appropriating the Revenues, Expenditures/Expenses and Interfund Transfers for the General Services District Fund, the Tenant Relocation Fund, the Full Urban Services Districts Fund, the Police Confiscated Federal Fund, the Police Confiscated State Fund, the Public Safety Fund, the Industrial Revenue Bond Fund, the Municipal Aid Program Fund, the County Road Aid Program Fund, the Mineral Severance Fund, the Coal Severance Fund, the Miscellaneous Special Revenue Fund, the Police Confiscated - Treasury Fund, the Lexington Economic Development Fund, the Affordable Housing and Homelessness Fund, the FY 2020 Bond Projects Funds, the Sanitary Sewer Revenue and Operating Fund, the Sanitary Sewer Construction Fund, the Lexington-Fayette Urban County Government Public Facilities Corporation General Fund, the Lexington-Fayette Urban County Government Public Facilities Corporation Parks Projects Fund, the Water Quality Management Fund, the Water Quality Management Construction Fund, the Landfill Fund, the Right of Way Program Fund, the Extended School Program Fund, the Enhanced 911 Fund, the Central Ky. 911 Fund, the Lexington-Fayette Urban County Government Public Library Corporation Fund, the City Employees' Pension Fund, the Police and Fire Retirement Fund of the Lexington-Fayette Urban County Government, the Medical Insurance Fund, the Property and Casualty Claims Fund, and the Reallocation of Bond Project Funds, on a Divisional level by four (4) control levels, for the fiscal year ending June 30, 2020, for the Lexington-Fayette Urban County Government and its agencies and instrumentalities; approving and adopting the capital improvement program for fiscal years (FY) 2020 through (FY) 2025, as a portion of the fiscal year (FY) 2020 annual capital improvements Budget; approving

funding for the Lexington-Fayette Urban County Tourist and Convention Commission from the transient room tax, said funding to equal 99 1/2% of the revenue from the tax; and suspending the application and operation of Ordinance 50-2016 (Contingency Designation Fund and Policy) as to any funding requirements in FY 2020.

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

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

Nay: -----0

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$1,000 for the Div. of Environmental Services from Neighborhood Development Funds for a Tree Week planting event at Beaumont Park, Schedule No. 31.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$1,000 for the Div. of Environmental Services from Neighborhood Development Funds for Greenspace Projects with the LFUCG Greenspace Commission, Schedule No. 32.

An Ordinance amending Section 5-29 of the Code of Ordinances related to the fee schedule for building permits as follows: amending Section 5-29(1) related to the construction of residential buildings to delete the existing fee of one tenth (00.1) of one (1) percent of the cost of construction, with the cost to be based on twenty dollars (\$20.00) per square foot, with a minimum fee of twenty-five dollars (\$25.00) for single family residences of one thousand five hundred (1,500) square feet or less and fifty dollars (\$50.00) for other residential buildings, and replace it with a fee of \$0.10 per square foot, with a minimum fee of one hundred fifty dollars (\$150.00); amending Section 5-29(3) related to remodeling projects to delete the existing fee of one tenth (00.1) of one (1) percent of the estimated cost of remodeling, with a minimum fee of fifty dollars (\$50.00) for residential remodeling and two hundred dollars (\$200.00) for commercial remodeling, and replace it with a fee of \$0.10 per square foot, with a minimum fee of one hundred and fifty dollars (\$150.00) for residential remodeling and two hundred and fifty dollars

(\$250.00) for commercial remodeling; amending Section 5-29(4) related to the construction of residential accessory buildings to delete the existing fee of one tenth (00.1) of one (1) percent of the cost of the accessory building, with the cost to be based on ten dollars (\$10.00) per square foot, with a minimum fee of fifty dollars (\$50.00), and replace it with a fee of \$0.10 per square foot of the project, with a minimum fee of one hundred fifty dollars (\$150.00); amending section 5-29(5) related to swimming pools to delete the existing fee of sixty cents (\$0.60) per hundred cubic feet, with a minimum fee of fifty dollars (\$50.00), for residential swimming pools, and replace it with a fee of one hundred dollars (\$100.00) for residential swimming pools, and to delete the existing fee of sixty cents (\$0.60) per hundred cubic feet, with a minimum fee of one hundred dollars (\$100.00), for commercial swimming pools, and replace it with a fee of two hundred dollars (\$200.00) for commercial swimming pools; amending Section 5-29(12) related to fences to delete the existing fee of twenty five dollars (\$25.00) for a residential fence and replace it with a fee of fifty dollars (\$50.00) for a residential fence, and to delete the existing fee of fifty dollars (\$50.00) for commercial fence and replace it with a fee of one hundred dollars (\$100.00) for a commercial fence; amending Section 5-29.2 of the Code related to construction plan review fees to create a fee for the review of residential construction plans in the amount of twenty five dollars (\$25.00), which shall be applicable to all residential construction projects, including new construction, additions, remodeling, and accessory structures, but not fences, paving, curb cuts, or swimming pools; and creating Section 5-29.4 of the Code of Ordinances related to additional inspection fees to create a fee of fifty dollars (\$50.00) for a second re-inspection of the same inspection type and a fee in an amount that is double the amount of the previous re-inspection fee for each additional re-inspection, all effective July 1, 2019.

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. 29.

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An Ordinance changing the zone from a Single Family Residential (R-1B) zone to a Planned Neighborhood Residential (R-3) zone, for 12.55 net (13.83 gross) acres, for

property located at 1500-1561 Winners Circle and 3298-3300 Versailles Rd. (Easley & Faust, LLC; Council District 12), was on the docket for first reading.

Ms. Plomin moved to amend the proposed ordinance to include an additional zoning restriction under Section 2, subsection b, stating the following: "The total number of dwelling units within the zone change area shall not exceed fifty (50) units." The motion was seconded by Mr. Ellinger.

Ms. Lamb asked Mr. Keith Horn, Dept. of Law, to address the appropriateness of the amendment. Mr. Horn described that the applicant has agreed to the change.

Ms. Plomin talked about the developers and neighbors affected by this amendment.

Mr. Worley asked Mr. Horn about the appropriateness of this change without a public hearing, in the context of the petitioner agreeing to the amendment. Mr. Horn responded.

The motion to amend passed by unanimous vote.

The ordinance, as amended, received first reading and was ordered placed on file for public inspection until July 2, 2019.

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The following ordinances received first reading and were ordered placed on file for public inspection until July 2, 2019:

An Ordinance amending Section 5-29(2) of the Code of Ordinances related to fee schedule to delete a fee of two-tenths (.002) of one (1) percent of the costs of construction with the costs to be based on and replace it with fees based on intended use, and in no event shall the fee be less than \$250; amending Section 5-29(2)(a) of the Code of Ordinances related to fee schedule to delete forty-five dollars (\$45.00) per square foot for restaurant construction and replace it with \$0.090 per square foot for restaurant use; amending Section 5-29(2)(b) of the Code of Ordinances related to fee schedule to delete thirty-one dollars (\$31.00) per square foot for office building construction and replaces it with \$0.090 per square foot for educational use; amending Section 5-29(2)(c) of the Code of Ordinances related to fee schedule to delete twenty-one dollars (\$21.00) per square foot for retail sales building construction and replace it with \$0.068 per square foot for hotel and motel use; amending Section 5-29(2)(d) of the Code of Ordinances related to

fee schedule to delete fourteen dollars (\$14.00) per square foot for warehouse construction and replace it with \$0.062 per square foot for office use; amending section 5-29(2)(e) of the Code of Ordinances related to fee schedule to delete thirty-four (\$34.00) per square foot for hotel and motel construction and replace it with \$0.042 per square foot for retail sales use; amending Section 5-29(2)(f) of the Code of Ordinances related to fee schedule to delete twenty-one dollars (\$21.00) per square foot for canopies and replace it with \$0.042 per square foot for canopies; amending Section 5-29(2)(g) of the Code of Ordinances related to fee schedule to delete twenty-one dollars (\$21.00) per square foot for all other commercial nonresidential construction and replace it with \$0.028 per square foot for warehouse use; creating Section 5-29(2)(h) of the Code of Ordinances related to fee schedule to add \$0.042 per square foot for all other non-residential uses.

An Ordinance amending Articles 18 and 26 of the Zoning Ordinance and amending the planting manual to designate all columnar tree varieties as small trees; to reduce the canopy credit to 100 square feet; and to officially transfer oversight of tree canopy requirements in the planting manual from the Div. of Building Inspection to the Div. of Environmental Services. (LFUCG Tree Board).

An Ordinance providing a one-time one percent (1%) supplement payment calculated using each employee’s annualized base salary or \$500 whichever is greater, to all eligible employees included in the Unified Pay Plan, including the Council Administrator, Police Chief and Fire Chief, effective July 1, 2019.

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Ms. Bledsoe, Mr. J. Brown, and Ms. Evans departed the meeting.

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

Aye: Farmer, Gibbs, Kay, Lamb, McCurn, -----12
 Moloney, Mossotti, Plomin, Reynolds,
 Worley, F. Brown, Ellinger

Nay: -----0

Absent: Evans, Bledsoe, J. Brown

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Ky. Housing Corporation, for purposes of

establishing the Office of Homelessness Prevention and Intervention's role, responsibility, and utilization of the Ky. Homeless Management Information System (KY-HMIS), at a cost not to exceed \$24,000.

A Resolution approving, pursuant to Section 22-55.1 of the Code of Ordinances, the bonds with surety of Kathy H. Witt, Fayette County Sheriff, in the amounts of \$1,000,000 and \$5,000,000, and directing the Div. of Risk Management to record the bond with surety, along with a certified copy of this Resolution, in the office of the Fayette County Clerk.

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 Military Affairs, Div. of Emergency Management 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 \$779,200 Federal funds, and are for the continuation of the Chemical Stockpile Emergency Preparedness Program (CSEPP) for FY 2019, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Transportation 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 \$480,000 Federal funds, and are for the ITS/CMS (Intelligent Transportation System/Congestion Management System) Traffic Improvements Project for FY 2020, the acceptance of which obligates the Urban County Government for the expenditure of \$120,000 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 a certificate of consideration and all necessary documents and to accept the deed for the purchase of a permanent easement at 3251 Beaumont Centre Circle for the YMCA Beaumont Creek Crossing Multi-Use Trail Project at a cost not to exceed \$15,000.

A Resolution amending Resolution No. 360-2018, pertaining to the Agreement with Fayette County Commonwealth's Attorney's Office for the Street Sales Drug Enforcement Project increasing the not-to-exceed amount by \$11,609 for a new total Agreement amount of \$83,334.

A Resolution authorizing the Div. of Fire and Emergency Services, on behalf of the Urban County Government, to purchase replacement parts and repairs for E-One Fire trucks from Vogelpohl Fire Equipment, Inc., a sole source provider, at a cost not to exceed \$50,000.

A Resolution amending Section 2 of Resolution No. 182-2019, relating to a sole source provider Agreement with Excellence, Inc., to change the not to exceed sum from \$200,000 to \$500,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Transportation Cabinet (KYTC), to delegate responsibility for the operation and maintenance of traffic signals and electrical traffic control devices on roadways included in the State Primary Road System and located in Lexington-Fayette County to the Urban County Government, at an estimated cost not to exceed \$330,000 to be reimbursed by KYTC, from July 1, 2019 to June 30, 2020.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement with Impressions Marketing and Events for sponsorship coordination services for the Div. of Parks and Recreation.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Agreement with Bluegrass Care Navigators for the continued operation of a Medical Respite Care Program, at a cost not to exceed \$80,731.01.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amended Agreement with Community Action Council for the continued operation of an Intensive Case Management with Coordinated Entry Housing Navigation Program, at a cost not to exceed \$50,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Statement of Affiliation with the Div. of Fire and Emergency

Services Rescue Team and Div. of Emergency Management in accordance with KRS Chapter 39F, for meeting requirements for Assistance Program Grants.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Homeland Security Investigations, HSI Nashville, for reimbursement of expenses in joint operations.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with TAC Air, a sole source vendor, for aircraft storage, at a cost not to exceed \$1,470.50 per month.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute options extending for one (1) year the Purchase of Service Agreements currently in place with the following organizations at the following costs: Jubilee Jobs of Lexington, Inc., and Lexington Rescue Mission, Inc. (\$59,500); Opportunity Workshop of Lexington, Inc., d/b/a Opportunity for Work and Learning, Inc., (\$26,000); Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas Counties, Inc., (\$26,000); Building Industry Association of Central Ky. d/b/a Building Institute of Central Ky. (\$26,000); Urban League of Lexington-Fayette County, Inc., (\$22,500); Build Inclusion, Inc., (\$20,000); and Community Ventures Corporation (\$17,500), to provide workforce development, job training, and job placement services to the public, at a total cost not to exceed \$197,500.

A Resolution amending the Lexington-Fayette Urban County Government procurement regulations to increase the amount of an expenditure for which the government is not required to legally advertise for bids from \$20,000 to \$30,000, and approving, adopting and restating the regulations to be effective as amended on July 1, 2019.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with Element Design for Construction Administration Services for the Shillito Park Playground Design Service, Contract No. 049-2018, increasing the Contract price by the sum of \$36,864, from \$49,000 to \$85,864.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Integration Partners for the installation and maintenance of telephone systems at the Family Care Center, located at 1135 Harry Sykes Way, the

Audrey Grevious Center, located at 1177 Harry Sykes Way, and the Versailles Rd. Government Center, located at 1306 Versailles Rd., at a cost not to exceed \$53,000 in Fiscal Year 2019, and \$12,000 each fiscal year thereafter that services are provided.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute certificates of consideration and other necessary documents, and to accept deeds for property interests needed for the UK trunk C, D, and E Sewer Project, a Remedial Measures Project required by the Consent Decree, at a cost not to exceed \$8,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with U.S. Geological Survey, for the continuing and ongoing maintenance and operation of existing stream flow and precipitation gauges for the period July 1, 2019 through June 30, 2020, at a cost not to exceed \$118,450, subject to sufficient funds being appropriated (FY2020).

A Resolution authorizing the Div. of Water Quality to purchase GPS hardware and database maintenance services from Routeware, Inc., a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Routeware, Inc., related to the procurement, at a cost estimated not to exceed \$39,586.80.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 2 with the Ky. Transportation Cabinet, for the acceptance of additional Federal funds in the total amount of \$2,957,038.53, \$911,200.00 from CMAQ funds and \$2,045,838.53 from Transportation Enhancement funds, to be used for the construction phase of the Fourth Street Corridor Enhancement Project, the acceptance of which obligates the Urban County Government for the expenditure of \$739,259.63 as a local match.

A Resolution accepting the bids of Victory Supply, Inc.; Charm-Tex, Inc.; and ICS Jail Supplies, Inc., establishing price contracts for Jumpsuits for Inmates, for the Div. of Community Corrections.

A Resolution accepting the bids of Kentuckiana Auto & Truck Supply, LLC, and Automotive Distributors Co., Inc., establishing price contracts for Truck and Auto Batteries (Supplemental), for the Div. of Facilities and Fleet Management.

A Resolution ratifying the Probationary Classified Civil Service Appointments of: Jody Scrivner, Program Specialist, Grade 513E, \$1,503.04 biweekly in the Div. of Water Quality, effective June 24, 2019, Sheri Burdine, Administrative Specialist Sr., Grade 516N, \$24.391 hourly in the Div. of Fire and Emergency Services, effective June 24, 2019 and Kenneth Hacker, Skilled Trades Worker, Grade 515N, \$20.472 hourly in the Div. of Parks and Recreation, effective June 24, 2019; and ratifying the Permanent Civil Service Appointments of: Michael Miller, Administrative Specialist, Grade 513N, \$19.439 hourly in the Div. of Accounting, effective May 12, 2019, David Harris, Traffic Signal Technician Master, Grade 518N, \$30.962 hourly in the Div. of Traffic Engineering, effective May 19, 2019, Stoney McGuire, Facilities Manager, Grade 523E, \$2,221.76 biweekly in the Div. of Facilities and Fleet Management, effective May 26, 2019, Matthew Probus, Code Enforcement Officer, Grade 516N, \$20.739 hourly in the Div. of Code Enforcement, effective June 17, 2019 and Michael LeMaster, Code Enforcement Officer, Grade 516N, \$21.532 hourly in the Div. of Code Enforcement, effective June 10, 2019, and ratifying the Permanent Sworn Appointments of: Samantha Collier, Community Corrections Sergeant, Grade 112N, \$23.937 hourly in the Div. of Community Corrections, effective May 27, 2019, Marcus Sell, Police Lieutenant, Grade 317N, \$41.015 hourly in the Div. of Police, effective June 10, 2019, Meredith Taylor, Police Sergeant, Grade 315N, \$31.772 hourly in the Div. of Police, effective June 10, 2019 and Greg Wims, Police Sergeant, Grade 315N, \$31.772 hourly in the Div. of Police, effective June 10, 2019.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Fayette County Public Schools, for transportation services for the Family Care Center's students and their children for the 2019 summer school session, at a cost not to exceed \$4,893.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Fayette County Public Schools, for transportation services for the Family Care Center's students and their children for the 2019-2020 school year, at a cost not to exceed \$78,141.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Welcome House of Northern Ky., for the

operation of the Lexington Payee Program, in response to RFP No. 7-2019 at a cost not to exceed \$483,557.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with NAMI Lexington (KY), Inc., for approximately 795 square feet of space at the Black & Williams Neighborhood Center, located at 498 Georgetown St., in consideration of anticipated annual revenue in the amount of \$4,809.72.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet, 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 \$52,156 Federal funds, under the Victim Assistance Formula Grant, and are for the support of a bilingual victims advocate for the Div. of Police, the acceptance of which obligates the Urban County Government for the expenditure of \$13,539 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 an Agreement with Kentucky Utilities for utility relocation for the Brighton Trail Pedestrian Bridge Project, at a cost not to exceed \$35,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Commission on Fire Protection, Personnel, Standards, and Education, which Grant funds are in the amount of \$3,154,508 Commonwealth of Ky. funds, and are for Fire training incentives for Firefighters for FY 2020, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Justice and Public Safety Cabinet, under the Ky. Law Enforcement Foundation Program Fund, which Grant funds are in the amount of \$3,349,920 Commonwealth of Ky. funds, are for Police training incentives for FY 2020, 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 Lease Agreements for residential park caretaker properties with the following individuals for the listed properties in consideration of the sums stated in annual rent: Hollis Harvill for 705 Caden Ln., \$4,980; Everett Hampton for 2075 Parkers Mill Rd., \$3,060; Edmon Chaney for 3401 Shamrock Ln., \$6,120; Anna Wiker-Peacynski for 3990 Raven Run Way, \$4,560; and Fred Williamson for 4051 Richmond Rd., \$3,240.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept the proposals for FY 2020 for excess liability insurance from, and to execute any necessary Contracts and documents on behalf of the Urban County Government with, the following insurance companies and/or their respective broker J. Smith Lanier & Co. - Lexington/Powell Walton Milward: aviation from Westchester Fire Insurance Co. at a cost not to exceed \$20,571.74; general, auto, public officials, law enforcement, and professional from Safety National Casualty Corporation at a cost not to exceed \$489,805.81; property from Affiliated Factory Mutual (FM) at a cost not to exceed \$351,365.00; cyber from ACE American Insurance Co. at a cost not to exceed \$21,748.77; pollution from AIG Specialty Insurance Co. at a cost not to exceed \$18,992.11; and workers' compensation from Safety National Casualty Corporation at a cost not to exceed \$395,692.00, all subject to sufficient funds being appropriated.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Dept. of Juvenile Justice which Grant funds are in the amount of \$198,070.60 Commonwealth of Ky. funds, are for the operation of the Audrey Grevious Center formerly known as the Lexington Day Treatment Center, 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 establishing Burdine Security Group as a sole source provider for installing and performing repairs on security systems for LFUCG owned buildings, for the Div. of Facilities and Fleet Management, and authorizing the Mayor or designee, on behalf

of the Urban County Government, to execute any necessary Agreements with Burdine Security Group related to the procurement of these goods and services.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Bluegrass Area Development District which Grant funds are in the amount of \$123,000 Federal and Commonwealth of Ky. funds, are for the operation of the Lexington Senior Center for FY 2020, the acceptance of which obligates the Urban County Government for the expenditure of \$284,094 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution amending Resolution 391-2018 to increase the amount authorized for payment for the acquisition of right-of-way to facilitate construction of Zone 2 of the Town Branch Commons Project from \$200,000 to \$400,000.

A Resolution requesting that the Ky. Economic Development Finance Authority issue revenue bonds in an amount of up to \$330,000,000, the proceeds of which will provide for the refinancing of certain outstanding bonds that financed and/or refinanced St. Joseph Health System Projects in the geographic territory of Lexington-Fayette Urban County Government.

A Resolution designating the speed limit as 25 miles per hour on the following street segments: Copper Run Blvd., from Clays Mill Rd. to Calevares Dr.; and Copperfield Dr., from Copper Run Blvd. to Steamboat Rd.; and authorizing and directing the Div. of Traffic Engineering to install proper and appropriate signs in accordance with the designation.

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Mr. F. Brown departed the meeting.

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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: Rebekah Lamey, Customer Service Specialist, Grade 510N, \$15.858 hourly in the Div. of Lexcall, effective July 1, 2019, Delana Williams, Customer Service Specialist, Grade 510N, \$15.281 hourly in the Div. of Lexcall, effective July 1, 2019, Raymon Smith, Resource Recovery Operator, Grade 513N, \$17.347 hourly in the Div. of Waste Management, effective upon passage of Council, Doug Johnson, Resource Recovery Operator, Grade 513N, \$17.802 hourly in

the Div. of Waste Management, effective upon passage of Council, Chance Graves, Resource Recovery Operator, Grade 513N, \$17.475 hourly in the Div. of Waste Management, effective upon passage of Council, Ronald Erskine, Telecommunicator Supervisor, Grade 520E, \$1,973.60 biweekly in the Div. of Enhanced 911, effective July 22, 2019, Anne Wooster, Telecommunicator, Grade 514N, \$19.095 hourly in the Div. of Enhanced 911, effective July 8, 2019, Randal Smith, Information System Specialist Sr., Grade 517N, \$23.142 hourly in the Div. of Police, effective July 8, 2019, Kacy Pell, Staff Assistant, Grade 508N, \$14.183 hourly in the Div. of Police, effective July 8, 2019, Madelyn Carlton, Child Care Program Aide, Grade 508N, \$13.470 hourly in the Div. of Family Services, effective July 8, 2019, Alexandria Neal, Child Care Program Aide, Grade 508N, \$13.559 hourly in the Div. of Family Services, effective July 8, 2019, Catherine Bowen, Child Care Program Aide, Grade 508N, \$13.715 hourly in the Div. of Family Services, effective July 8, 2019 and Christopher Shafer, Public Service Worker Sr., Grade 509N, \$14.191 hourly in the Div. of Parks and Recreation, effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following probationary Community Corrections Officer appointments: Tyler Smith, Briana Henderson, John Kruger, Vontese Christopher, Patrice Middleton, Ivonne Geiger, Zachary Bailey, and Jeremy Green, all Community Corrections Officer Recruit, Grade 109N, \$15.384 hourly in the Div. of Community Corrections, effective upon passage of Council, and authorizing the Div. of Human Resources to make a conditional offer to the following Unclassified Civil Service appointment: Eugene Thomas, Educational Program Aide P/T, Grade 508N, \$14.072 hourly in the Div. of Youth Services, effective July 8, 2019, received first reading.

Upon motion by Ms. Plomin, seconded by Vice Mayor Kay, and approved by majority vote (Ms. Evans, Ms. Bledsoe, Mr. F. Brown, and Mr. J. Brown were absent for the vote, and Mr. Farmer voted No), the rules were suspended and the resolution received second reading.

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

Aye: Farmer, Gibbs, Kay, Lamb, McCurn, -----11
Moloney, Mossotti, Plomin, Reynolds,
Worley, Ellinger

Nay: -----0

Absent: Evans, Bledsoe, F. Brown, J. Brown

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Master Agreement and related order forms with Accela, Inc., for Right-of-Way Management Software and support, at a cost not to exceed the sum of \$65,510.58 year one of the Contract, \$67,475.90 in year two, and \$69,500.18 in year three, received first reading.

Upon motion by Ms. Mossotti, seconded by Mr. Ellinger, and approved by majority vote (Ms. Evans, Ms. Bledsoe, Mr. F. Brown, and Mr. J. Brown were absent for the vote), the rules were suspended and the resolution received second reading.

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

Aye: Farmer, Gibbs, Kay, Lamb, McCurn, -----11
Moloney, Mossotti, Plomin, Reynolds,
Worley, Ellinger

Nay: -----0

Absent: Evans, Bledsoe, F. Brown, J. Brown

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The following resolutions received first reading and were ordered placed on file for public inspection until July 2, 2019:

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Lexington and Fayette County Parking Authority, for lease of space at 162 East Main St.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Interlocal Agreement with Region 8 Education Service Center to allow the Urban County Government to participate in the Interlocal Purchasing System purchasing cooperative, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Service Agreement with United Data Technologies, Inc., to modernize the Microsoft Exchange and Microsoft SharePoint productivity platforms, at a cost not to exceed \$53,214 in fiscal year 2019 and \$56,670 in fiscal year 2020.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Extension Agreement with LexArts, Inc., to extend the term of LexArts' lease of 161 North Mill St. by a period of three (3) months, beginning July 1, 2019 to September 30, 2019, under the same terms and conditions previously existing.

A Resolution approving the use of a standardized Agreement with Small Cell Providers for the decommissioning of streetlights, which contains the requirement that the providers erect and maintain replacement combination small cell streetlights in place of existing streetlights, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Agreement with any Small Cell Provider which is authorized to enter into an Agreement with the same material terms.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with City Center Companies, LLC and L-M Asphalt Partners, Ltd. d/b/a ATS Construction, to provide for the sharing of costs for reconstruction of South Upper St. between West Vine St. and West Main St. and resurfacing of South Limestone St. between West Vine St. and West Main St., at a cost not to exceed \$62,000.

A Resolution accepting the bid of Bateman Community Living, LLC, establishing a price contract for catering services for the Family Care Center, for the Dept. of Social Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Bateman Community Living, LLC, related to the bid.

A Resolution accepting the bid of Bluegrass Business Services, Inc. d/b/a Bluegrass Integrated Communications, establishing a price contract for Printing and Mailing Services - Sewer, Landfill and Water Quality Fees, for the Div. of Revenue.

A Resolution accepting the bid of ZKB Services, LLC, in the amount of \$43,750, for installation of a Tornado Shelter, for the Div. of Emergency Management.

A Resolution accepting the bid of Atlanco of SC, Inc., establishing a price contract for Polymer Flocculants for Treatment Plants, for the Div. of Water Quality.

A Resolution accepting the bids of L&W Emergency Equipment, and On-Duty Depot, Inc., establishing price contracts for Partitions and Cargo Boxes, for the Div. of Police.

A Resolution accepting the bid of D.C. Elevator, Inc. d/b/a DC Elevator Co., establishing a price contract for elevator and lift maintenance, for the Div. of Facilities and Fleet Management.

A Resolution ratifying the Probationary Classified Civil Service Appointments of: Jason Allinder, Traffic Signal Systems Manager, Grade 527E, \$3,307.69 biweekly in the Div. of Traffic Engineering, effective July 1, 2019, Robert Sword, Fleet Systems Manager, Grade 521E, \$2,307.70 biweekly in the Div. of Facilities and Fleet Management, effective June 24, 2019, and ratifying the Permanent Civil Service Appointments of: Samuel Schulte, Risk Management Accountant, Grade 518N, \$22.593 hourly in the Div. of Accounting, effective June 10, 2019, Camille Brann, Administrative Specialist Sr., Grade 516N, \$20.987 hourly in the Div. of Waste Management, effective June 17, 2019, Keith Gurley, Resource Recovery Operator, Grade 513N, \$17.561 hourly in the Div. of Waste Management, effective June 17, 2019, Priscilla Owens, Administrative Specialist, Grade 513N, \$19.038 hourly in the Div. of Waste Management, effective May 12, 2019, Jay Rice, Public Service Worker, Grade 507N, \$12.893 hourly in the Div. of Waste Management, effective June 17, 2019, Harlan Power Jr., Equipment Operator Sr., Grade 512N, \$20.544 hourly in the Div. of Parks and Recreation, effective May 26, 2019, and Valerie Friedmann, Planner Sr., Grade 521N, \$26.470 hourly in the Div. of Planning, effective June 10, 2019.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Energy and Environment Cabinet, which Grant funds are in the amount of \$98,851 Commonwealth of Ky. funds, under the Rubber Modified Asphalt Grant Program, and are to facilitate the thin lift overlay of Southland Dr., 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 all documents necessary to transfer the property located at 3533 Willowood Rd. to the adjacent property owners of 3531 Willowood Rd. in exchange for easements

upon the property located at 3531 Willowood Rd. for the Merrick Sewer Project, subject to normal and appropriate closing costs.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Consultant Services Agreement with EOP Architects for the design services of the Government Center Building Elevator Evaluation Services, at a cost not to exceed \$22,500.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Transylvania University, memorializing their commitment of the required matching funds, in the amount of \$260,000, for the Fourth St. Corridor Enhancement Project.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Health Services Agreement with Corizon, Inc., for the provision of medical care services for the offender population at the Div. of Community Corrections, at a cost not to exceed \$5,330,742 in fiscal year 2020.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to Community Montessori School, Inc., for stormwater quality projects, at a cost not to exceed \$88,704.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Contract Modification no. 4 to the Agreement with Aecom Technical Services, Inc. d/b/a Aecom, for additional professional program management services related to the Town Branch Commons Project, increasing the Contract price by the sum of \$31,194.00 from \$3,305,797.50 to \$3,336,991.50.

Declaration of official intent with respect to reimbursement of temporary advances made for capital expenditures to be made from subsequent borrowings, with respect to various sewer construction projects of the Lexington-Fayette Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Services Agreement with the Lexington-Fayette Urban County Human Rights Commission, for provision of services for FY 2020, at a cost not to exceed \$205,725.

A Resolution amending Section 1 of Resolution No. 290-2019, which ratified the Probationary Classified Civil Service Appointment of Johnathan Lafollette, Treatment Plant Operator-Class II, in the Div. of Water Quality, correcting the pay rate from \$16.834 hourly to \$16.840 hourly, effective retroactive to June 6, 2019.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with the Allen Co., Inc., for West Hickman Trail Project, increasing the Contract price by the sum of \$91,929.18 from \$605,213.75 to \$697,142.93.

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Upon motion by Ms. Plomin, and seconded by Vice Mayor Kay, the Communications from the Mayor were approved by majority vote (Ms. Evans, Ms. Bledsoe, Mr. F. Brown, and Mr. J. Brown were absent for the vote) and were as follows: (1) Recommending the reappointment of Mr. Philip Brandon Gross and Mr. Chad Needham to the Board of Adjustment, with terms expiring July 1, 2023; and, (2) Recommending the reappointment of Mr. Brian Wells, Banking Industry Representative, and the appointment of Ms. Liz Brown, Housing Industry Representative, and Council Member Jake Gibbs, to the Economic Development Investment Board, with terms expiring March 5, 2023, June 20, 2023, and June 2023, respectively.

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The following Communications from the Mayor were received for information only: (1) Classified Civil Service Temporary Appointment of Fredrick Godfrey, Telecom Support Specialist, Grade 516N, \$28.247 hourly in the Division of Computer Services, effective October 1, 2018; and, (2) Reinstatement of Ebonee Moorman, Community Corrections Officer, Grade 110, \$17.365 hourly in the Division of Community Corrections, effective June 24, 2019.

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Commander Thomas Curtsinger, Div. of Police, presented a disciplinary matter regarding Officer Jesse Masco. It is alleged that Officer Masco has committed the offense of Operation of Vehicles in violation of KRS 95.450 and General Order 1973-02J, Disciplinary Procedures, Appendix B, Operational Rule 1.13, Operation of Vehicles in that on the various days of March, 2019, he allegedly:

On March 18, 2019 Sergeant Joshua Yahr met with Officer Masco to issue a letter of counseling regarding violations of the emergency and Pursuit Driving Policy he observed on Body Worn Camera (BWC) during pursuit on February 27, 2019 and a traffic stop on March 11, 2019. During this meeting, Sergeant Yahr discussed and counselled Officer Masco on several topics including, but not limited to, the pursuit policy, safety concerns he observed, and mandatory use both lights and siren (to be considered an emergency vehicle) in order [to obey] traffic laws.

Just a few hours after his meeting with Sergeant Yahr on March 18, 2019, Officer Masco conducted a traffic stop in the area of Chestnut St. and Fifth St. After the vehicle fled the stop, Officer Masco is observed on BWC disregarding three separate traffic control devices (stop signs) while attempting to locate the vehicle; he was not in pursuit and he did not have all of his emergency equipment activated.

On March 26, 2019, Officer Masco is again observed on BWC passing the vehicle in the opposite lane of traffic to initiate a stop on Eastland Dr. and Goodwin Dr. Officer Masco did not have all of his emergency equipment activated when he passed the vehicle and entered the opposite lane of travel to initiate the stop. The appropriate punishment for this conduct is written reprimand, retraining of pursuits, and 80 hour suspension of home fleet.

Upon motion by Mr. Farmer, seconded by Mr. Ellinger, and approved by majority vote (Ms. Evans, Ms. Bledsoe, Mr. F. Brown, and Mr. J. Brown were absent for the vote), the disciplinary recommendation was approved.

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Mr. Moloney spoke about working with Comm. Reed for many years and talked about the good work Comm. Reed and Ms. Hamilton had accomplished together.

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Ms. Lamb discussed the ordinance governing scooters and electric bicycles. She also wished Comm. Reed luck in his future endeavors.

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Ms. Evans rejoined the meeting.

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Ms. Mossotti departed the meeting.

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Ms. Reynolds spoke about an event on Tuesday, June 25, 2019 at 6:30 p.m. at the Village Branch Library, featuring a special guest speaker, Mayor Linda Gorton. In addition, on Thursday, June 27, 2019, the Lexington Farmers Market will hold the second of two pop-up markets in June at the Gardenside Shopping Center. Ms. Reynolds also complimented Comm. Reed, thanking him for his recent assistance to her, and wished him luck.

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Vice Mayor Kay spoke highly of Comm. Reed and his appreciation of Comm. Reed's candid nature, and spoke of the importance of having people like Comm. Reed in government.

Vice Mayor Kay praised the administration, the Mayor, her staff, and his fellow Council Members for their work on the budget.

Upon motion by Vice Mayor Kay, seconded by Mr. Farmer, and approved by majority vote (Ms. Mossotti, Ms. Bledsoe, Mr. F. Brown, and Mr. J. Brown were absent for the vote), the work session scheduled for June 25, 2019 was canceled.

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Mr. Gibbs praised Comm. Reed and expressed what a pleasure it has been to work with him.

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Ms. Evans thanked Comm. Reed for his work and assistance during her tenure on the Council. Ms. Evans also announced a June 29, 2019 Mary Todd Park celebration, and invited all neighbors and anyone else interested in attending.

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Ms. Plomin praised Comm. Reed for his candor and perspective.

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Mr. McCurn thanked Comm. Reed for his service and wished him well.

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Mr. Worley echoed the praise of his colleagues for Comm. Reed.

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Mr. Gibbs departed the meeting.

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Mayor Gorton spoke highly of Comm. Reed and her great respect for his ability to keep things in the proper perspective and maintain his good humor.

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Mr. Bernard McCarthy, Harry St., spoke about roads damaged by commercial construction.

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Ms. Shawna Connors, High St., spoke about the dearth of parking in certain areas of downtown Lexington and the adverse effect that lack has on business.

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Upon motion by Mr. Farmer, seconded by Mr. Ellinger, and approved by majority vote (Ms. Mossotti, Mr. Gibbs, Ms. Bledsoe, Mr. F. Brown, and Mr. J. Brown were absent for the vote), the meeting adjourned at 7:42 p.m.

Deputy Clerk of the Urban County Council