

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky September 28, 2017

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on September 28, 2017 at 6:02 p.m. Present were Vice-Mayor Kay in the chair presiding, in the absence of Mayor Gray, and the following members of the council: Farmer, Gibbs, Henson, Lamb, Moloney, Plomin, Scutchfield, Smith, Stinnett, Bledsoe, F. Brown, J. Brown, and Evans. Council Member Mossotti was absent.

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

Ordinances No. 136-2017 through 138-2017, inclusive, and Resolutions No. 537-2017 through 571-2017, inclusive, were reported as having been signed and published and ordered to record.

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The Invocation was given by Pastor John White of Eastminster Presbyterian Church.

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Upon motion by Ms. Scutchfield, seconded by Ms. Henson, and approved by unanimous vote, the Minutes of the April 18, 2017 Zone Change Public Hearing and the July 11, 2017 Council Meeting were approved.

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Vice Mayor Kay joined Ms. Henson at the podium, to recognize the Adopt-a-Park partners. Ms. Stephanie Hong, Div. of Youth Services, was invited to the podium where she spoke about Partners for Youth and the scope and activities in the Adopt-a-Park program. Ms. Henson lauded the program activities, citing a skate park clinic as an example of a fun, but safe activity sponsored by the program. Vice Mayor Kay read a proclamation declaring September 28, 2017 as Adopt-a-Park Partners Day in Lexington, and presented the proclamation to Pastor Matthew Cole. Pastor Cole thanked the Mayor and Council for the recognition.

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The following ordinances received second reading. Upon motion by Ms. Plomin, and seconded by Ms. Bledsoe, the ordinances were approved by the following vote:

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

Nay: -----0

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 6.

An Ordinance amending Chapter 25 of the Code of Ordinances by clarifying the Policy Declaration Statement, incorporating Special Purpose Governmental Entities and qualified adults into the Ethics Act, expanding the financial interest and private interest

disclosure requirements, clarifying conflicts of interest, incorporating a provision regarding official misconduct, and revising the penalties structure under the Ethics Act.

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An Ordinance changing the zone from a Neighborhood Business (B-1) zone to a High Density Apartment (R-4) zone, for 3.72 net (4.33 gross) acres, for property located at 1447 Antique Dr. (Meadowthorpe Senior Housing, LLLP; Council District 2) received first reading.

Upon motion by Mr. Smith, seconded by Mr. Gibbs, and approved by unanimous vote, the rules were suspended and the ordinance received second reading.

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

Aye: Farmer, Gibbs, Henson, Kay, Lamb, -----13
Moloney, Plomin, Scutchfield, Smith,
Stinnett, Bledsoe, F. Brown, J. Brown

Nay: -----0

Ms. Evans was absent for the vote.

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The following ordinances received first reading and were ordered placed on file for public inspection until October 12, 2017:

An Ordinance authorizing and directing the dissolution of the Lexington-Fayette Urban County Government Public Parking Corp.; and taking other related action.

An Ordinance amending Section 2b-6 of the Lexington-Fayette County Code of Ordinances to reflect changes in the manner in which code violation citations and final orders are to be served.

An Ordinance amending Chapter 17C of the Code of Ordinances of the Lexington-Fayette Urban County Government to reflect a revised right-of-way permit renewal fee structure for utilities and their contractors, and to impose additional fees for the commencement of non-emergency work within the public rights-of-way without the proper permit(s) by amending Subsection 17C-7(b)(4) to provide that the failure to complete all restoration work due under a surface cut permit in a timely manner will result in additional fee(s) payable to the government at the time of permit renewal, amending Subsection 17C-9(a) to provide that any person who installs, operates,

constructs, or maintains facilities within the public rights-of-way without first registering such facilities or obtaining the necessary permits, certificates, letters, or other documentation will be subject to an additional fee payable to the government, and amending Subsections 17C-22(c) and (d) to conform with these changes.

An Ordinance changing the zone from a Single Family Residential (R-1D) zone to a Professional Office (P-1) zone, for 0.46 net (0.558 gross) acre, and from a Single Family Residential (R-1D) zone to a High Density Apartment (R-4) zone for 4.76 net (4.98 gross) acres, for property located at 3743 Red River Rd. (Afton Community Development, LLC (Amd.); Council District 8).

An Ordinance changing the zone from an Agricultural Rural (A-R) zone to a Neighborhood Business (B-1) zone, for 1.16 net and gross acres, and from a Neighborhood Business (B-1) zone to an Agricultural Rural (A-R) zone, for 1.16 net (2.71 gross) acres, for property located at 4974 Old Versailles Rd. (a portion of). (Newton's Attic; Council District 12).

An Ordinance changing the zone from an Agricultural Urban (A-U) zone to a High Density Apartment (R-4) zone, for 10.68 net and gross acres, for property located at 2250 Leestown Rd. (a portion of). (Leestown VA Housing, LLLP; Council District 12).

An Ordinance changing the zone from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone, for 11.37 net (11.76 gross) acres, and from a Townhouse Residential (R-1T) zone to a Planned Neighborhood Residential (R-3) zone, for 0.13 net (0.25 gross) acre, for properties located at 2311 Armstrong Mill Rd. and 3539 Kenesaw Dr. (Atchison Heller Construction; Council District 8).

An Ordinance changing the zone from a Neighborhood Business (B-1) zone to a Planned Shopping Center (B-6P) zone, for 9.45 net (10.26 gross) acres, and from a Planned Neighborhood Residential (R-3) zone to a Planned Shopping Center (B-6P) zone for 0.43 gross acre, for property located at 1201 Greendale Rd. (Greendale Properties, LLC; Council District 2).

An Ordinance amending Sections 2-87 and 2-89 of the Code of Ordinances of the Lexington-Fayette Urban County Government to decrease the number of members on the Masterson Station Park Advisory Board from twenty-one to eighteen, to adjust

the number of members required for quorum and official action, and to update the organizations and groups represented thereon.

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. 7.

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 Family Services from Neighborhood Development Funds for Historic Preservation Project at the Family Care Center, Schedule No. 9.

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

Aye: Farmer, Gibbs, Henson, Kay, Lamb, -----13
Moloney, Plomin, Scutchfield, Smith,
Stinnett, Bledsoe, F. Brown, J. Brown

Nay: -----0

Ms. Evans was absent for the vote.

A Resolution accepting the bid of 300 Industrial LLC, in the amount of \$169,000, for the Cleaning and Painting of the Grimes Mill Rd. Bridge over Boone Creek, for the Div. of Engineering, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with 300 Industrial LLC, related to the bid.

A Resolution accepting the bid of Quality Vans & Specialty Vehicles, in the amount of \$99,950, for Prisoner Transport, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Galls, LLC, establishing a price contract for Police Ballistic Armor, for the Div. of Police.

A Resolution accepting the bid of Perdue Environmental Contracting Co., Inc. d.b.a. PECCO, establishing a price contract for Hazardous Materials Spill Clean Up, for the Div. of Fire and Emergency Services.

A Resolution ratifying the Probationary Classified Civil Service Appointment of: Willis Barnett, Public Service Supervisor, Grade 514N, \$19.000 hourly in the Div. of

Water Quality, effective September 4, 2017; ratifying the Permanent Civil Service Appointments of: Darryl Stewart, Public Service Supervisor, Grade 514N, \$21.502 hourly in the Div. of Streets and Roads, effective August 6, 2017, Malcolm Ferguson, Engineering Technician Sr., Grade 516N, \$24.077 hourly in the Div. of Water Quality, effective September 20, 2017 and Abigail Kerins, Staff Assistant Sr., Grade 510N, \$15.343 hourly in the Div. of Parks and Recreation, effective September 27, 2017; ratifying the voluntary demotion of: Barry Brown, Public Service Worker Sr., Grade 509N, \$15.414 hourly in the Div. of Water Quality, effective September 4, 2017; ratifying the approved council leave of: Amanda Sinclair, Staff Assistant Sr., Grade 510N, in the Div. of Building Inspection, beginning August 25, 2017 through November 22, 2017.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Transportation Cabinet, which Grant funds are in the amount of \$68,000 Federal funds, are for the design phase of the Improvements on Mercer Rd. at Greendale Project, under the Congestion Mitigation and Air Quality (CMAQ) Program, the acceptance of which obligates the Urban County Government for the expenditure of \$17,000 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 Change Order No. 2 to the Contract with Pace Contracting, LLC, for the Jacobson and Masterson Station Park Sprayground Projects, increasing the contract price by the sum of \$21,018.63 from \$1,194,115.79 to \$1,215,134.42 and adding thirty-two (32) calendar days to the construction schedule.

A Resolution authorizing the Div. of Waste Management, on behalf of the Urban County Government, to purchase preventative replacement parts and services for the Optical Sorter from Pellenc, a sole source provider, at a cost not to exceed \$30,000.

A Resolution authorizing the Div. of Waste Management, on behalf of the Urban County Government, to purchase truck weighing software, hardware, and services from Mettler-Toledo, LLC/Jack Mann Scales, a sole source provider, at a cost not to exceed \$110,000.

A Resolution authorizing the Div. of Waste Management, on behalf of the Urban County Government, to purchase parts and services for equipment at the Material

Recovery Facility from Machinex, a sole source provider, at a cost not to exceed \$200,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. 911 Services Board (f/k/a Ky. Commercial Radio Service (CMRS) Board), which Grant funds are in the amount of \$29,921 Commonwealth of Ky. funds, are for the acquisition of hardware, software, and licenses for the Automatic Location Information and Database Management Servers (a/k/a ALI-DBMS) for the Div. of Enhanced 911, the acceptance of which obligates the Urban County Government for the expenditure of \$5,000 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 Renewal Agreement with Management Registry, Inc., (f/k/a Omnisource Integrated Supply, LLC), for WebEOC coordinator services, at a cost not to exceed \$94,000.

A Resolution approving and adopting an Amendment to the 2016 Consolidated Plan and Annual Action Plan, cancelling the VA Housing Project funding in the amount of \$466,500, and providing funding to the Leestown VA Waterline Project (\$100,000), the Black & Williams Cultural Center Project (\$356,500), and the Canaan House Project (\$10,000).

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Friends of Gratz Park Recovery Group, Inc., for use of the Gratz Park Kitchen, located at 253 Market Street, for a period of twenty (20) years in consideration of significant repairs and improvements to the building.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to donate to the Georgetown Police Dept., fifteen (15) sets of Stinger Road Spikes which the Div. of Police no longer uses.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and all other necessary documents, including a Memorandum of Easement Purchase Agreement with Anderson-Ramsey, LLC, and to accept deeds for property interests needed for the Expansion Area 3 Trunk Remedial

Measures Project, at a cost not to exceed \$60,229.75, plus an additional amount to be determined in accordance with the Memorandum of Easement Purchase Agreement.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Release of Claims Agreement with Officer Chad T. Karsner, for care of retired canine Lux.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement with Upstream Services, LLC, for the planning and implementation of the COACH Fellowship, at a cost not to exceed \$26,400.

A Resolution authorizing the Div. of Water Quality, on behalf of the Urban County Government, to purchase chemical test kits for the Town Branch and West Hickman Waste Water Treatment Plants, from HACH Co., a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with HACH Co. related to the procurement, at a cost not to exceed \$21,405.96.

A Resolution amending Section 6 of Resolution No. 500-2017, which ratified the Classified Civil Service voluntary demotion of Timothy Jackson, Public Service Worker, Grade 507N, \$13.533 hourly in the Div. of Parks and Recreation, correcting the effective date from August 21, 2017 to July 22, 2017, effective retroactive to August 31, 2017.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Vending Services Agreement with Compass Group USA, Inc. by and through its Canteen Division, for vending services at the Central Sector Roll Call Building.

A Resolution amending Resolution 164-99 to include 602 East High Street as part of a Residential Parking Permit Program for the 300 block of Park Avenue, from 6:00 p.m. to 6:00 a.m., Monday through Sunday.

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Mr. J. Brown moved to place on the docket for first reading a Resolution authorizing the Mayor on behalf of the Urban County Government to petition the Kentucky Military Heritage Commission for permission to relocate the John Hunt Morgan and John C. Breckinridge statues, located at 215 and 251 West Main St.,

respectively, in Lexington, Kentucky, to the Lexington Cemetery in Lexington-Fayette County. The motion was seconded by Ms. Scutchfield.

Vice Mayor Kay asked about the logistics of the resolution. Chief Administrative Officer Sally Hamilton responded.

The motion was approved by majority vote (Ms. Evans was absent for the vote), and the resolution was added to the docket and it received first reading.

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

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

Aye: Henson, Kay, Lamb, Moloney, Plomin, -----11
Scutchfield, Smith, Stinnett, Bledsoe, F.
Brown, J. Brown

Nay: -----0

Ms. Evans, Mr. Gibbs, and Mr. Farmer were absent for the vote.

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A Resolution accepting the bid of Olympic Construction, LLC, in the amount of \$123,410, for the Concrete Slab Repair at Fleet Services, for the Div. of Facilities and Fleet Management, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an agreement with Olympic Construction, LLC, related to the bid received first reading.

Upon motion by Ms. Henson, seconded by Ms. Bledsoe, and approved by majority vote (Ms. Evans and Mr. Gibbs were absent for the vote), the rules were suspended and the resolution received second reading.

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

Aye: Henson, Kay, Lamb, Moloney, Plomin, -----11
Scutchfield, Smith, Stinnett, Bledsoe, F.
Brown, J. Brown

Nay: -----0

Ms. Evans, Mr. Gibbs, and Mr. Farmer were absent for the vote.

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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: Lisa Sheehy, Customer Service Specialist, Grade 510N, \$16.124 hourly in the Div. of Government Communications, Trampis Porter Jr., Skilled Trades Worker Sr., Grade 517N, \$20.372 hourly in the Div. of Water Quality, both effective October 9, 2017, Chasity Hensley, Administrative Specialist, Grade 513N, \$16.924 hourly in the Div. of Police, effective upon passage of Council and Keyu Yan, Planner Sr., Grade 521N, \$25.564 hourly in the Div. of Planning, effective October 16, 2017; and authorizing the Div. of Human Resources to make a conditional offer to the following Unclassified Civil Service Appointment: Terrance Tuggle, Records Management Assistant P/T, Grade 507N, \$13.565 hourly in the Office of the Council Clerk, effective October 9, 2017 received first reading.

Upon motion by Ms. Henson, seconded by Ms. Bledsoe, and approved by majority vote (Ms. Evans and Mr. Gibbs were absent for the vote), the rules were suspended and the resolution received second reading.

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

Aye: Henson, Kay, Lamb, Moloney, Plomin, -----11
 Scutchfield, Smith, Stinnett, Bledsoe, F.
 Brown, J. Brown

Nay: -----0

Ms. Evans, Mr. Gibbs, and Mr. Farmer were absent for the vote.

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Phoenix Rising of Lexington, Ky, Inc. (\$750), and Georgetown Street Area Neighborhood Association, Inc. (\$250), for the Office of the Urban County Council, at a cost not to exceed the sums stated received first reading.

Upon motion by Mr. Stinnett, seconded by Ms. Plomin, and approved by majority vote (Ms. Evans and Mr. Gibbs were absent for the vote), the rules were suspended and the resolution received second reading.

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

Aye: Henson, Kay, Lamb, Moloney, Plomin, -----11
Scutchfield, Smith, Stinnett, Bledsoe, F.
Brown, J. Brown

Nay: -----0

Ms. Evans, Mr. Gibbs, and Mr. Farmer were absent for the vote.

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A Resolution establishing Morpho Trak, as a sole source provider for the MorphoBIS Latent Expert Workstation, and authorizing the Mayor or his designee, on behalf of the Urban County Government, to execute any necessary Agreements with Morpho Trak, related to the procurement of the MorphoBIS Latent Expert Workstation, at a cost not to exceed \$95,475 received first reading.

Upon motion by Ms. Scutchfield, seconded by Ms. Bledsoe, and approved by majority vote (Ms. Evans and Mr. Gibbs were absent for the vote), the rules were suspended and the resolution received second reading.

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

Aye: Henson, Kay, Lamb, Moloney, Plomin, -----11
Scutchfield, Smith, Stinnett, Bledsoe, F.
Brown, J. Brown

Nay: -----0

Ms. Evans, Mr. Gibbs, and Mr. Farmer were absent for the vote.

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a License and Services Agreement with Tyler Technologies, Inc., for maintenance and support services, at a cost not to exceed \$1,527,150 received first reading.

Upon motion by Ms. Scutchfield, seconded by Ms. Bledsoe, and approved by majority vote (Ms. Evans and Mr. Gibbs were absent for the vote), the rules were suspended and the resolution received second reading.

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

Aye: Henson, Kay, Lamb, Moloney, Plomin, -----11
Scutchfield, Smith, Stinnett, Bledsoe, F.
Brown, J. Brown

Nay: -----0

Ms. Evans, Mr. Gibbs, and Mr. Farmer were absent for the vote.

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with LexArts, Inc. (\$1,500), and Frederick Douglass High School Golf Boosters, Inc. (\$550), for the Office of the Urban County Council, at a cost not to exceed the sums stated received first reading.

Upon motion by Mr. Stinnett, seconded by Ms. Plomin, and approved by majority vote (Ms. Evans and Mr. Gibbs were absent for the vote), the rules were suspended and the resolution received second reading.

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

Aye: Henson, Kay, Lamb, Moloney, Plomin, -----11
Scutchfield, Smith, Stinnett, Bledsoe, F.
Brown, J. Brown

Nay: -----0

Ms. Evans, Mr. Gibbs, and Mr. Farmer were absent for the vote.

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit four (4) Grant Applications to the Ky. Transportation Cabinet (KYTC) and the Lexington Area Metropolitan Planning Organization (MPO) and to provide any additional information requested in connection with these Grant Applications, which Grant funds are in the amount of \$3,072,000 Federal funds under the Transportation Alternatives Program (TAP), and are for the Lane Allen ADA Improvements Project (\$288,000), the Mt. Tabor Multi-Modal Improvements Project (\$1,096,000), the Avenue of Champions Multi-Modal

Improvements Project (\$1,475,200), and the South Elkhorn Trail Project (\$212,800) received first reading.

Mr. Moloney asked about matching funding to support this resolution. Commissioner Derek Paulsen, Dept. of Planning, Preservation and Development, responded.

Upon motion by Ms. Henson, seconded by Ms. Bledsoe, and approved by majority vote (Ms. Evans and Mr. Gibbs were absent for the vote), the rules were suspended and the resolution received second reading.

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

Aye: Henson, Kay, Lamb, Moloney, Plomin, -----11
Scutchfield, Smith, Stinnett, Bledsoe, F.
Brown, J. Brown

Nay: -----0

Ms. Evans, Mr. Gibbs, and Mr. Farmer were absent for the vote.

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Transportation Cabinet (KYTC), for the exchange of a total of approximately 34.658 road lane miles located in Lexington-Fayette County, with KYTC to receive approximately 19.6 road lane miles and the Urban County Government to receive approximately 15.058 road lane miles; and authorizing the Mayor, or his designee, to sign any necessary documents related to the exchange was on the docket for first reading.

Mr. J. Brown moved to table the resolution until October 12, 2017. The motion was seconded by Ms. Henson.

Mr. Gibbs asked about the purpose of delaying consideration of the resolution. Mr. J. Brown responded. Mr. Farmer responded.

Mr. Gibbs and Mr. Farmer spoke against the motion.

Mr. Moloney spoke in support of the motion.

Mr. Moloney asked who will pay for the work on the bridge that will be affected by the resolution. Mr. Jamie Emmons, Office of the Mayor, responded.

Mr. J. Brown asked about future meetings with interested parties. Ms. Brandy Peacher responded.

Mr. J. Brown spoke in favor of the motion.

Ms. Henson expressed her support of the motion.

Vice Mayor Kay asked a procedural question. Ms. Lamb responded.

Ms. Lamb called the question, seconded by Mr. F. Brown. The motion to call the question passed by majority vote (Vice Mayor Kay voted No; Ms. Evans was absent for the vote).

The motion to table the resolution passed by majority vote (Mr. Farmer, Mr. Gibbs, and Mr. F. Brown voted No; Ms. Evans was absent for the vote) and the resolution was tabled until October 12, 2017.

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The following resolutions received first reading and were ordered placed on file for public inspection until October 12, 2017:

A Resolution accepting the bid of Blackhawk Enterprises, Inc., establishing a price contract for Digital Switch and Camera Equipment, for the Div. of Traffic Engineering.

A Resolution accepting the bid of Paul Miller Ford, Inc., establishing a price contract for Ford F150 4x4 vehicles, for the Div. of Facilities and Fleet Management.

A Resolution ratifying the Probationary Classified Civil Service Appointments of: Donnie Salmons, \$26.025 hourly, Alex Carpenter, \$21.729 hourly, both Telecommunicator Sr., Grade 517N in the Div. of Emergency Management/911, Jada Griggs, Industrial Hygiene/Loss Control, Grade 520E, \$2,238.48 biweekly in the Div. of Risk Management, Eric Reid, Administrative Specialist Sr., Grade 516N, \$19.350 hourly in the Div. of Youth Services and Kenzie Gleason, Administrative Officer, Grade 523E, \$2,606.56 biweekly in the Div. of Planning, all effective October 16, 2017; ratifying the Permanent Civil Service Appointments of: Michael Thomas, Project Manager, Grade 517N, \$24.752 hourly, Omer Cowherd, Public Service Supervisor, Grade 514N, \$20.176 hourly, both in the Div. of Streets and Roads, effective September 6, 2017, John Cornett Jr., Enforcement Officer, Grade 513N, \$18.456 hourly in the Div. of Waste Management, effective October 3, 2017, Serenity Wright, Accreditation Manager, Grade

521E, \$2,314.64 biweekly in the Div. of Police, effective September 20, 2017 and Wendy Jett, Recreation Supervisor, Grade 514E, \$1,720.00 biweekly in the Div. of Aging and Disability Services, effective September 6, 2017; and ratifying the approved Council leave of: Richard Thomas, Public Service Worker, Grade 507N, in the Div. of Waste Management, beginning October 3, 2017 through December 31, 2017.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the AARP Community Foundation, which Grant funds are in the amount of \$10,000, are for the purchase and installation of benches and construction of raised gardens at the Senior Citizens 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 authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Emergency Management Agency, which Grant funds are in the amount of \$70,208 Federal funds, \$11,233 Commonwealth of Ky. funds, under the Hazard Mitigation Grant Program, are for the construction of a tornado safe room at the Thompson Rd. Recycling Center, the acceptance of which obligates the Urban County Government for the expenditure of \$12,169 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 Amendment to the Master Equipment and Products Agreement with Siemens Healthcare Diagnostics, Inc., for the provision of drug testing equipment and reagents for the Div. of Community Corrections at a total cost not to exceed \$223,600.11, with a cost savings of \$3,693.76 from the original Agreement of \$227,293.87.

A Resolution changing the property address number of 2300 Paris Pike to 2324 Paris Pike and changing the street names and property address numbers of 100 Chilesburg Rd. to 4301 Athens Boonesboro Rd., 160 Chilesburg Rd. to 300 Hannah Todd Place, 150 Chilesburg Rd. to 316 Hannah Todd Place, 2250 Innovation Dr. to 2259 Jaggie Fox Way, 225 Regency Circle to 2025 Regency Rd., all effective thirty (30) days from passage.

A Resolution authorizing the Div. of Fire and Emergency Services, on behalf of the Urban County Government, to purchase ambulances from Excellence Ambulances, a sole source provider, at a cost not to exceed \$318,381.32.

A Resolution authorizing the Div. of Waste Management, on behalf of the Urban County Government, to purchase replacement parts and service for the Eddie Current located at the Material Recovery Facility from Steinert, USA, a sole source provider, at a cost not to exceed \$35,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a multiyear Agreement with FiServ Solutions, LLC for services related to the payment processing of LexServ accounts, at a cost not to exceed \$10,150 in FY2018.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Firehouse Subs Public Safety Foundation, and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$10,250, and are for the purchase of two (2) Blackjack 6-foot 120v Portable Fans, for the Div. of Police.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Annual Service Contract with Ground Control Services, for servicing of the Man-Portable Integrated Tactical Operations Center (MITOC) equipment, at a cost not to exceed \$7,839.60.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Addendum to the Health Services Agreement with Marathon Health, LLC, for certain health care services offered at the Samuel Brown Health Center; extending the Agreement through January 18, 2019, at a cost not to exceed \$1,697,510.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with Arbor Youth Services, Inc., for an extension of the performance period to December 31, 2018, and to modify the provision of services by the organization, at no additional cost to the Urban County Government.

A Resolution initiating a text amendment to the Land Subdivision Regulations to amend design and improvement standards for major subdivisions as described in the proposed text attached hereto and incorporated herein.

A Resolution specifying the intention of the Urban County Council to expand and extend the full Urban Services District #1 to provide street lighting, street cleaning, and garbage and refuse collection; finding a need for this service in the area included; and finding the ability of the Urban County Government to provide this service in this area, which area is defined as certain properties on the following streets: Athens Boonesboro Rd., Brookridge Dr., Chilesburg Rd., Covington Dr., Covington Pt., Ellen Ct., Eilerslie Park Blvd., Green Valley Dr., Grimball Trace, Haddrell Cove, Haddrell Pt., Harrison, Kelli Rose Way, Kings Glen Park, Larue, Lawton Flat, Leestown Rd., Lucille Dr., Man O War Blvd., Nicholasville Rd., Old Harrodsburg Rd., Our Tibbs Trail, Pascoli Cove, Pascoli Place, Patchen Wilkes Dr., Polo Club Blvd., Prichard Dr., Real Quiet Ln., Silver Charm Ln., Silverbell Trace, Somersly Cove, Sprull Walk, Spurr Rd., Summit at Fritz Farm, Sunny Slope Trace, Sweetspire Dr., Vendue Row, and Winning Colors Ln.

A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #3 to provide garbage and refuse collection; finding a need for this service in the area included; and finding the ability of the Urban County Government to provide this service in this area, which area is defined as certain properties on the following street: Reserve Rd.

A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #4 to provide street lighting; finding a need for this service in the area included; and finding the ability of the Urban County Government to provide this service in this area, which area is defined as certain properties on the following streets: Carrie Circle and Mandeville Way.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Residential Lease Agreement with Anna Wiker-Piecynski for 3990 Raven Run Way, in consideration of anticipated annual revenue in the amount of \$4,260.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Contract with the Fayette County Board of Education for

space to host the Extended School Program and the Recreational Enrichment and Learning Program for the 2017-2018 school year, at a cost not to exceed \$98,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Contract with the Fayette County Board of Education for use of the Norsworthy Auditorium for the Parks and Recreation Kiddie Kapers Program, at a cost not to exceed \$1,107.45.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two (2) to the Contract with RRC Co. LLC, for transfer station repairs, increasing the contract price by the sum of \$47,350.80 from \$539,507.92 to \$586,858.72.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation from INE Entertainment, LLC, on behalf of Julius Randle for renovation of the Colonel Charles T. Young Park Basketball Court, at an estimated value of \$65,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Palmer Engineering, Inc., for design of the Wilson Downing Sidewalk Project, at a cost not to exceed \$99,953.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2 (Final) to the Agreement with Bluegrass Contracting Corp. for the Rogers Rd. Stormwater Improvements Project, decreasing the contract price by the sum of \$36,163.73 from \$2,852,926.10 to \$2,816,762.37, and extending the date of completion by two hundred and forty-four (244) calendar days, to July 6, 2017.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Jobs Fund Loan Agreement in the amount of \$250,000.00 with Fusioncorp, LLC, for the creation of at least eight (8) new full-time jobs with a mean hourly wage of at least \$27.00, exclusive of benefits and other compensation, in Lexington-Fayette County.

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Upon motion by Ms. Henson, and seconded by Ms. Plomin, the Communications from the Mayor were approved by majority vote (Ms. Evans, Mr. Gibbs, Mr. Farmer, and Ms. Scutchfield were absent for the vote) and were as follows: (1) Recommending the

appointment of Ms. Debbie Wagner to the Bluegrass Crime Stoppers with term expiring August 30, 2020; (2) Recommending the following action pending the Confirmation Hearing on September 28, 2017: The appointment of Ms. Raquel Carter to the Board of Adjustment with term expiring June 20, 2021; (3) Recommending the reappointment of Dr. Mamata Majmundar, Licensed Physician Representative, to the Board of Health, with term expiring October 8, 2019; (4) Recommending the reappointment of Ms. Susan Plueger, as Public Works Designee, to the Corridors Commission, with term expiring August 1, 2021; (5) Recommending the appointment of Mr. Justin Kirchner, as 1st District Resident Representative, and the reappointment of Mr. Steven Taylor, as 12th District Resident Representative, to the Environmental Commission, with terms expiring September 28, 2021 and October 1, 2021 respectively; (6) Recommending the appointment of Dr. Deneia Thomas to the Human Rights Commission with term expiring September 10, 2019; and, (7) Recommending the reappointment of Mr. Nkonglolo Kalala, as African Representative, and Ms. Huajing Maske, as Asian Representative, to the Mayor's International Affairs Advisory Commission with terms expiring August 27, 2021 and September 10, 2021 respectively.

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The following Communications from the Mayor were received for information only: (1) The Classified Civil Service Reinstatement of Tim Higgins, Public Service Worker Sr., Grade 509N, \$14.687 hourly in the Division of Water Quality, effective October 2, 2017.

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Mr. J. Brown discussed his motion to table the resolution for the "street swap" and his reasoning in support of it. He also spoke about the Veterans' Hall of Fame Ceremony coming to Lexington in 2018.

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Ms. Bledsoe reminded everyone about the Hill 'N Dale Fall Festival on Saturday, October 7, 2017 from 2:00 – 5:00 p.m. at Hill 'N Dale Park, as well as the Taste of Beaumont event at the Moondance Amphitheatre, on Sunday, October 8, 2017, from 2:00 to 7:00 p.m.

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Mr. Stinnett assumed the Chair and Vice Mayor Kay spoke about his position on the motion to table the resolution for the “street swap”.

Vice Mayor Kay resumed the Chair.

Mr. Stinnett spoke also about his position on the motion to table the resolution for the “street swap”.

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Commander David Lyons, Div. of Police, presented a police disciplinary recommendation regarding Officer Kendall Turner. It is alleged Officer Turner 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 (Merged with 1.24 Use of Weapons) in that on the 18th day of July, 2017 she allegedly on June 24th, 2017, at approximately 2020 hours, Officer Kendall Turner was off-duty at a wedding reception in Frankfort, KY where she became intoxicated. While present, she had her off duty weapon located inside her purse, which she left under her table, asking a fellow officer (guest) to keep an eye on it for over 2 hours while she consumed alcohol. During the reception, she was also involved in an altercation with another guest. This altercation culminated with Officer Turner striking the other guest multiple times in the area of his head and face. Shortly after that incident, Officer Turner was involved in another altercation with the father of the groom. In that incident, she had to be restrained and was threatened with arrest if she continued. The appropriate punishment for this conduct is Twenty (20) Hours Suspension Without Pay.

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

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Ms. Samantha Deagan, Cedar Mill Cir., spoke about her participation in the Council meeting and the most recent Work Session meeting, and how she might more effectively participate in local government.

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Mr. Virgil Covington, Main Street Baptist Church, talked about a recent meeting with City leaders and negotiation occurring relative to the “street swap” resolution.

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Mr. Bernard McCarthy, Harry St., talked about closing roads and removing bridges, and the harmful effect it may have on navigating the City.

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Mr. Don Pratt, Royal Ave., spoke about the Town Branch Commons Project and suggested the City create a website to allow everyone in the City to follow the project's progress.

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Upon motion by Mr. Stinnett, seconded by Ms. Bledsoe, and approved by majority vote (Ms. Evans, Mr. Gibbs, Mr. Farmer, and Ms. Scutchfield were absent for the vote), the meeting adjourned at 7:24 p.m.

Clerk of the Urban County Council