Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky November 19, 2015

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on November 19, 2015 at 6:00 p.m. Present were Mayor Gray in the chair presiding, and the following members of the council: Council Members Mossotti, Scutchfield, Stinnett, Akers, Bledsoe, F. Brown, J. Brown, Evans, Farmer, Gibbs, Hensley, Henson, Kay, Lamb, and Moloney.

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

Resolutions No. 652-2015 through 684-2015, inclusive, and Ordinances No. 120-2015 through 127-2015, inclusive, were reported as having been signed and published and ordered to record.

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The Invocation was given by Pastor Derek Holmes of Lexington Baptist Temple.

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The Council observed a moment of silence in honor of the people of France.

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Mayor Gray asked Ms. Deborah McGrath to join him at the podium. The Mayor commented on Epilepsy Awareness Month and the importance of educating people about epilepsy. Also present were Dr. Meriem Bensalem Owen, Ms. Rachel Ward-Mitchell, Ms. Lauren Vassal, Ms. Ally Vassal, Mr. Mike Vassal, Ms. Andrea Strasbourg, Mr. Charles Wilson, Ms. Christie Wilson, Ms. Debra Holland, Ms. Cindy Arnold Crump, and Ms. Lindsay Crump. The Mayor read a Proclamation declaring November 2015 Epilepsy Awareness Month in Lexington.

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Mayor Gray asked Ms. Akers to join him at the podium, along with members of the Div. of Fire and Emergency Services. Ms. Akers recognized Mr. Billy Smith and Mr. Tom Wilson who, on September 16, 2015, helped to evacuate Mr. Clarence Woodrum and his pets from a burning residence. She recognized members of the Div. of Fire and Emergency Services as well.

Mr. Moloney spoke of his high regard for Mr. Smith and everything he does for the community, even beyond this incident of heroism.

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Mayor Gray asked representatives of Frontier Nursing University to join him at the podium. He commented that Lexington recognizes the work of Nurse Practitioners and Midwifes. He spoke about their expertise in many areas and the excellent care they provide. The Mayor read a Proclamation declaring November 8 through November 14, 2015, as Nurse Practitioner and Midwifery Week in Lexington.

Ms. Julie Marfell, of Frontier, thanked the Mayor and Council for this recognition.

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Mr. Kay made a motion to give an Ordinance creating Chapter 13a of the Lexington-Fayette Urban County Code of Ordinances establishing a minimum wage in Lexington-Fayette County of $8.20 per hour beginning July 1, 2016, $9.15 per hour beginning July 1, 2017, and $10.10 per hour beginning July 1, 2018; providing an exemption for agricultural workers; providing remedies for employees paid less than the minimum wage; and providing for a formal review of the minimum wage on or before July 1, 2018 its own reading and a separate vote. The motion was seconded by Ms. Henson and approved by unanimous vote.

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

Aye:	Mossotti, Scutchfield, Stinnett, Akers, Bledsoe, F. Brown, J. Brown, Evans, Farmer, Gibbs, Hensley, Henson, Kay, Lamb, Moloney	---------15
Nay:		-----------0

An Ordinance amending the authorized strength by creating one (1) Unclassified Civil Service Position of HANDS Nurse, Grade 514E, in the Div. of Family Services, effective upon passage of Council.

An Ordinance amending the authorized strength by abolishing one (1) Classified Civil Service Position of Skilled Trades Worker Sr., Grade 517N, and creating one (1) Classified Civil Service Position of Fleet Operations Supervisor, Grade 519N, in the Div. of Fire and Emergency Services, effective upon passage of Council.

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. 14.

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An Ordinance creating Chapter 13a of the Lexington-Fayette Urban County Code of Ordinances establishing a minimum wage in Lexington-Fayette County of $8.20 per hour beginning July 1, 2016, $9.15 per hour beginning July 1, 2017, and $10.10 per hour beginning July 1, 2018; providing an exemption for agricultural workers; providing remedies for employees paid less than the minimum wage; and providing for a formal review of the minimum wage on or before July 1, 2018 was on the docket for second reading.

Mayor Gray made preliminary remarks about the process the Council would follow in hearing public comments on the minimum wage ordinance.

The following individuals spoke in favor of the ordinance: 1) Mr. Freddy Peralta, Virginia Avenue; 2) Mr. Stephen Katz, Clyde Street; 3) Mr. Steve Polston, Hidden Lake Lane; 4) Mr. Christian Torp, Elm Tree Lane; 5) Mr. Don Pratt, Walton Avenue; 6) Mr. Roy Harrison, McDowell Road; 7) State Senator Reggie Thomas; 8) Mr. Alvin Brown, Corral Street; 9) Ms. LeighAnne Bell, Horseman's Lane; 10) Mr. Richard Mitchell, Shady Lane; 11) Ms. Sarah Martin, Chippen Dale Circle; 12) Ms. Melissa Kane, Belleau Wood Drive; 13) Ms. Nicole Rodriguez, East Main Street; 14) State Representative George Brown; and 15) Mr. Chris Begley.

The following individuals spoke in opposition of the ordinance: 1) Ms. Janey Moores, Lowry Lane; (Ms. Moores was yielded time by Ms. Kathy Gornik); 2) Mr. Patrick Moores, Lowry Lane; 3) Ms. Shannon Buzard; 4) State Representative Kelly Flood; 5) Mr. Bob Quick, Commerce Lexington; 6) Ms. Dawn Cloyd, Fort Springs Pinckard Rd.; 7) Mr. Tom Lipinski, Redding Road; 8) Mr. Wes Ecklund, Main Street (Mr. Ecklund was yielded time by Mr. Randall Stephens); 9) Mr. Bruce Layne, Bait Bough Place; 10) Mr. John James, Military Pike; 11) Mr. John Prescott, Transylvania Park; 12) Ms. Ginny Saville, owner of The Botany Bay; 13) Ms. Sharon Cox; Avawam Drive in Richmond, (Ms. Cox was yielded time by Ms. Adrienne Grizzell); 14) Mr. Mack Cox, Avawam Drive in Richmond; and 15) Ms. Latasha Benton, Brighton Avenue.

Ms. Vivian Bowman, Harrodsburg Road, spoke about the Fairness Ordinance and its protections.

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At 7:56 p.m. Mayor Gray called a recess.

At 8:05 p.m. the Council reconvened with the same members present.

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An Ordinance creating Chapter 13A of the Lexington-Fayette Urban County Code of Ordinances establishing a minimum wage in Lexington-Fayette County of $8.20 per hour beginning July 1, 2016, $9.15 per hour beginning July 1, 2017, and $10.10 per hour beginning July 1, 2018; providing an exemption for agricultural workers; providing remedies for employees paid less than the minimum wage; and providing for a formal review of the minimum wage on or before July 1, 2018 was given second reading.

Mr. Farmer spoke of his appreciation for the community participation in the meeting. He spoke about his concerns with passage of the ordinance.

Mr. Farmer made a motion, seconded by Mr. F. Brown to amend the ordinance to change the three incremental wage increases to $8.00 beginning July 1, 2016, $8.50 per hour beginning July 1, 2017 and $9.00 beginning July 1, 2018.

The motion failed by the following vote:

Aye:	Scutchfield, Stinnett, Bledsoe, F. Brown, Farmer, Hensley	-----------6
Nay:	Mossotti, Akers, J. Brown, Evans, Gibbs, Henson, Kay, Lamb, Moloney	-----------9

Ms. Mossotti thanked the citizens for their involvement. She talked about the difficulty of passing the Fairness Ordinance in 1999 and the Smoking Ban in 2003, and how other communities have followed the LFUCG’s lead in both matters.

Mr. Stinnett thanked his colleagues on Council. He spoke about this legislation being handled on the State and Federal government level. He spoke about the effect of this ordinance on the rate of poverty. He appreciated the community involvement and noted that other actions must be taken in the community to help achieve more economic parity.

Mr. Hensley talked about his work history, and that making low wages pushed him to want to improve himself. He spoke about the payroll tax.

Ms. Lamb talked about her work on this ordinance and the evolution of her views. She stated that the Council has spoken to many members of the community in considering the numerous pros and cons of this question.

Mr. Kay thanked everyone in the community and the Council for giving their attention to this issue. He stated that there are reasonable opinions on both sides. He spoke about the many beneficiaries of the ordinance. He stated he believes that this ordinance will improve the quality of life for many members of the Lexington community.

Ms. Henson stated that in her eight years on this Council, this ordinance has been one of the most difficult to consider. She described her decision on this ordinance as one based on her study of the issues and not an emotional one.

Mr. Moloney thanked the community's and Council's consideration of this ordinance. He spoke about the Federal government not taking action on this issue as of yet.

Ms. Bledsoe stated she appreciated the civil discourse she has had with others in the community involving this matter, but she does not believe this issue should be handled at the local level.

Ms. Evans encouraged all citizens to remain engaged with local government and to not lose interest after this ordinance is decided upon. She stated that many other important issues are decided by the Council, and input and involvement from the community members are very beneficial.

Mayor Gray thanked members of the Council, as well as the community members that have offered input. He stated that he supports the legislation because it is the right thing to do, and he expressed regret that the Federal Government has not taken action.

The ordinance was approved by the following vote:

Aye:	Mossotti, Akers, J. Brown, Evans, Gibbs, Henson, Kay, Lamb, Moloney	-------9
Nay:	Scutchfield, Stinnett, Bledsoe, F. Brown, Farmer, Hensley	-------6

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The following ordinances were given first reading and ordered placed on file two weeks for public inspection:

An Ordinance changing the zone from a Single Family Residential (R-1D) zone to a High Density Apartment (R-4) zone, for 1.74 net (1.84 gross) acres, and to a Wholesale & Warehouse Business (B-4) zone, for 2.43 net (2.74 gross) acres, for property located at 2833 Liberty Rd., including a dimensional variance (Dr. Michael Gentry & RML Construction, LLP (AMD.); Council District 6).

An Ordinance changing the zone from a Single Family Residential (R-1C) zone to a Planned Neighborhood Residential (R-3) zone, for 0.654 net (0.754 gross) acre; for property located at 509, 513 and 517 Pyke Rd., including dimensional variances (Flying Dutchman Properties, LLC (AMD.); Council District 11).

An Ordinance amending Section 21-33(g) of the Code of Ordinances to grant the Chief Administrative Officer the authority to extend the deadline for vacation carryover to the end of a fiscal year provided that certain conditions are met; and amending Section 21-33(h) of the Code of Ordinances to provide the process for payout of vacation leave upon separation of service for employees who have been granted an extension.

An Ordinance amending the authorized strength by abolishing one (1) Classified Civil Service Position of Staff Assistant Sr., Grade 510N, and creating one (1) Classified Civil Service Position of Permit Clerk, Grade 512N, and reclassifying the incumbent in the Div. of Police, effective upon passage of Council.

An Ordinance amending the authorized strength by abolishing one (1) Unclassified Civil Service Position of Public Information Officer, Grade 523E, and creating one (1) Classified Civil Service Position of Public Information Officer, Grade 523E, in the Div. of Police, effective upon passage of Council.

An Ordinance pursuant to Section 2-1(a) of the Code of Ordinances of the Lexington-Fayette Urban County Government adopting a schedule of meetings for the Council for the calendar year 2016.

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. 15.

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Mr. Hensley made a motion, seconded by Mr. Farmer, to place on the docket for first reading an ordinance amending Section 13.6 of the Lexington-Fayette Urban County Government Code of Ordinances to exempt individuals earning the established hourly minimum wage from the occupational licensing fee on earned wages.

Vice Mayor Kay made a motion, seconded by Ms. Akers, to amend the preceding motion and put the issue of occupational licensing fees into the Budget, Finance, and Economic Development Committee. The motion to amend passed by a majority vote

(Scutchfield, Bledsoe, Farmer and Hensley voted **no** and Ms. Mossotti was absent when the vote was taken).

The original motion, as amended, passed by majority vote (Ms. Mossotti was absent when the vote was taken.)

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The following resolutions were given second reading. Upon motion by Ms. Henson, and seconded by Ms. Akers, the resolutions were approved by the following vote:

Aye:	Scutchfield, Stinnett, Akers, Bledsoe, F. Brown, J. Brown, Farmer, Gibbs, Hensley, Henson, Kay, Lamb, Moloney	-------13
Nay:		---------0
Absent when the vote was taken: Mossotti, Evans		

A Resolution accepting the bid of Hydro Controls, Inc., establishing a price contract for Fabricated Stainless Steel Slide Gates, for the Div. of Water Quality.

A Resolution accepting the bid of Pedal Power Bike Shop, Inc., establishing a price contract for Police Bicycles, for the Div. of Police.

A Resolution accepting the bid of Best Equipment Co., Inc., in the amount of $19,000 for Confined Space Video Inspection Equipment, for the Div. of Water Quality.

A Resolution ratifying the Probationary Civil Service Appointments of: Alex Hicks, Operations Supervisor, Grade 518E, $1,750.64 biweekly in the Div. of Streets and Roads, effective upon passage of Council, Lesa Spillman, Safety Specialist, Grade 518E, $1,673.20 biweekly, John Day, Operations Manager, Grade 520E, $1,854.64 biweekly, Christopher Phillips, Operations Manager, Grade 520E, $1,844.72 biweekly, all in the Div. of Waste Management, John Saylor, Program Manager Sr., Grade 524E, $2,711.54 biweekly in the Div. of Environmental Services, Karen Tribble, Administrative Specialist Sr., Grade 516N, $21.66 hourly in the Dept. of Law, Dan James, Human Resources Manager, Grade 525E, $2,496.88 biweekly in the Div. of Human Resources, all effective November 16, 2015; ratifying the Permanent Classified Civil Service Appointments of: Diane Lewis, Administrative Specialist, Grade 513N, $17.965 hourly in the Div. of Revenue, effective October 20, 2015; and ratifying the approved Council Leave for: Tamoy Carter, Public Service Supervisor, in the Div. of Family Services, beginning November 12, 2015 through February 9, 2016.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Three (3), Final to the Contract with Lagco, Inc., for construction of Meadows/Northland/Arlington Public Improvements Project, Phase 5C, increasing the contract price by the sum of $7,937.44. from $814,542.04 to $822,479.48.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with WINMAR Corporation, for office space located at 125 Lisle Industrial Ave. for a three-year period, for the Div. of Water Quality, at a cost not to exceed $403,366.65 per year, subject to sufficient funds being appropriated in future Fiscal Years.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with Children's Advocacy of the Bluegrass, for extended hours and additional forensic interviews, at a cost not to exceed $50,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Facility Usage Agreements with various youth baseball leagues granting the right to use the Lexington-Fayette Urban County Government's baseball fields in exchange for hosting community youth baseball leagues.

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 at a cost not to exceed $1,511.50.

A Resolution authorizing the Div. of Water Quality to purchase replacement parts for the bar screens located at the Lower Cane Run and North Elkhorn Pump Stations, from E & I Corp., a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary agreement with E & I Corp. related to the procurement, at a cost not to exceed $50,451.00.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 3 to the Engineering Services Agreement with Hazen & Sawyer, P.S.C., for Sanitary Sewer Assessment Reports and Sanitary Sewer and WWTP Remedial Measures Plans for Consent Decree Implementation, extending the contract term through FY2017 at an estimated cost not to exceed $390,000 for FY2016 and $780,000 for FY2017, subject to the appropriation of sufficient funds in FY2017.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and any other necessary documents, and to accept Deeds of Easement and Permanent Right of Way from owners of record for property interests needed for the Haven Court Stormwater Improvement Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two (2) (Final) to the Contract with Lexington Quarry Co. for the Southland Dr. Bike Lane Project, decreasing the contract price by the sum of $6,229.71 from $674,194.73 to $667,965.02.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Seedleaf, for reduction of food waste material at the landfill, at a cost not to exceed $20,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 (Final) to the Agreement with Howell Contractors, Inc. for the Wolf Run Pump Station Relocation - Contract B, decreasing the contract price by the sum of $208 from $4,228,435 to $4,228,227, and extending the contract term from December 10, 2013 through January 27, 2015.

A Resolution authorizing and directing the mayor, on behalf of the Urban County Government, to execute an Amendment to the Agreement with Tetra Tech, Inc., for Annual Program Management Services for Consent Decree Implementation and MS4 Permit Compliance, extending the initial term of the Agreement until March 31, 2016, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement and any related documents (awarded pursuant to RFP No. 26-2015), with K. Norman Berry Associates Architects, PLLC, for Architectural and Engineering Services for the Historic Fayette County Courthouse Rehabilitation Project, at a cost not to exceed $2,480,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement (awarded pursuant to RFP No. 31-2015) with

Reed Weitkamp Schell & Vice PLLC and Frost Brown Todd LLC, for Legal Services for the Historic Fayette County Courthouse Rehabilitation Project, at a cost estimated not to exceed $60,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Commercial Mobile Radio Service (CMRS) Board and to provide any additional information requested in connection with this Grant Application, which Grant Funds are in the amount of $70,000 Commonwealth of Ky. Funds, and are for the acquisition of hardware, software, technical support and services necessary for the provision of text-to-911 capability by the Central Kentucky 911 (CKy911net) Network.

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the Transit Authority of Lexington-Fayette Urban County Government and LexTran Real Properties, Inc., for a commitment for the construction and operation of a public-access fast-fill compressed natural gas fueling station, contingent upon receipt of Grant funding from the Ky. Transportation Cabinet's Congestion Mitigation and Air Quality Program, for the Div. of Waste Management was on the docket for first reading.

Mr. Moloney made a motion, seconded by Mr. Stinnett, to table the resolution until the December 3, 2015 Council Meeting.

Mayor Gray asked for Mr. Jamie Emmons, Mayor's Office to clarify whether tabling this matter will have any effect on a relevant grant. Mr. Emmons responded.

Ms. Mossotti asked additional questions of Mr. Emmons and he responded.

The motion to table was approved by a majority vote (Akers, J. Brown, Farmer, Gibbs, and Kay voted **no** while Ms. Bledsoe abstained.)

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Upon motion by Ms. Bledsoe, seconded by Ms. Henson, and approved by unanimous vote, a Resolution accepting the bid of Alpha Mechanical Service, Inc., in the amount of $69,627, for removal of four (4) hot water boilers and installation of two (2) new hot water boilers in the Government Center for the Div. of Facilities and Fleet Management was placed on the docket and given first reading.

Upon motion by Ms. Bledsoe, seconded by Ms. Akers, and approved by majority vote (Mr. F. Brown dissented) the rules were suspended and the resolution was given second reading.

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

Aye:	Mossotti, Scutchfield, Stinnett, Akers, Bledsoe, F. Brown, J. Brown, Evans, Farmer, Gibbs, Hensley, Henson, Kay, Lamb, Moloney	-------15
Nay:		-------0

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A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Civil Service Appointments: Sharon Hays, Customer Service Specialist, Grade 510N, $15.808 hourly in the Div. of Government Communications, Sharon Jones, Deputy Council Clerk, Grade 520E, $2,059.93 biweekly in the Office of the Council Clerk, Danielle Owens, Payroll Analyst, Grade 520E, $1,864.70 biweekly in the Div. of Accounting, all effective December 7, 2015, Wayne Miles, Resource Recovery Operator, Grade 513N, $18.299 hourly, William Houge, Resource Recovery Operator, Grade 513N, $18.094 hourly, Sheldon Holland, Resource Recovery Operator, Grade 513N, $18.299 hourly, all in the Div. of Waste Management, all effective upon passage of Council, Dean Marcum, Administrative Officer, Grade 523E, $2,384.58 biweekly in the Office of the Commissioner of Public Safety, effective November 30, 2015 received first reading.

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

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

Aye:	Mossotti, Akers, Bledsoe, F. Brown, J. Brown, Evans, Farmer, Gibbs, Hensley, Henson, Kay, Lamb, Moloney	-------13
Nay:		---------0

Absent when the vote was taken: Stinnett, Scutchfield

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A Resolution accepting the Collective Bargaining Agreement by and between the Lexington-Fayette Urban County Government and Fraternal Order of Police, Town

Branch Lodge #83, on behalf of Community Corrections Officers and Sergeants in the Div. of Community Corrections received first reading.

Upon motion by Mr. Gibbs, seconded by Ms. Henson, and approved by unanimous vote, the rules were suspended and the resolution was given second reading.

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

Aye:	Mossotti, Akers, Bledsoe, F. Brown, J. Brown, Evans, Farmer, Gibbs, Hensley, Henson, Kay, Lamb, Moloney	-------13
Nay:		---------0

Absent when the vote was taken: Stinnett, Scutchfield

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A Resolution authorizing and directing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute Change Order No. One (1) to the Third Amendment to the Purchase Agreement with Airbus DS Communications, f/k/a Cassidian Communications, Inc., for the purchase of a heavier tower for the Public Safety Operations Center, increasing the agreement price by the sum of $17,688 from $1,542,083 to $1,599,771 received first reading.

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

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

Aye:	Mossotti, Akers, Bledsoe, F. Brown, J. Brown, Evans, Farmer, Gibbs, Hensley, Henson, Kay, Lamb, Moloney	-------13
Nay:		---------0

Absent when the vote was taken: Stinnett, Scutchfield

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Services Agreement with the UK Arboretum, for stormwater education and outreach workshops for the Div. of Environmental Services, at a cost not to exceed $15,000 received first reading.

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

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

Aye:	Mossotti, Akers, Bledsoe, F. Brown, J. Brown, Evans, Farmer, Gibbs, Hensley, Henson, Kay, Lamb, Moloney	-------13
Nay:		---------0

Absent when the vote was taken: Stinnett, Scutchfield

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A Resolution authorizing and directing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute a Fourth Amendment to the Purchase Agreement with Airbus DS Communications f/k/a Cassidian Communications, Inc., for the purchase and installation of a 10th channel to the radio system and a protective firewall system, at a cost not to exceed $236,654 received first reading.

Upon motion by Ms. Henson, seconded by Mr. Kay, and approved by unanimous vote, the rules were suspended and the resolution was given second reading.

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

Aye:	Mossotti, Akers, Bledsoe, F. Brown, J. Brown, Evans, Farmer, Gibbs, Hensley, Henson, Kay, Lamb, Moloney	-------13
Nay:		---------0

Absent when the vote was taken: Stinnett, Scutchfield

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Police Athletics/Activities League of Lexington, Inc. ($1,300), Alpha Phi Alpha Fraternity, Inc. ($1,050) and Highlands NA ($300), for the Office of the Urban County Council, at a cost not to exceed the sums stated received first reading.

Upon motion by Ms. Lamb, seconded by Ms. Henson, and approved by unanimous vote, the rules were suspended and the resolution was given second reading.

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

Aye:	Mossotti, Akers, Bledsoe, F. Brown, J. Brown, Evans, Farmer, Gibbs, Hensley, Henson, Kay, Lamb, Moloney	-------13
Nay:		---------0

Absent when the vote was taken: Stinnett, Scutchfield

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 3 to the Contract with Schaefer Contracting, LLC for the Masterson Station Park Restroom Building Project, increasing the contract price by the sum of $5,568 from $183,283 to $188,851 and adding an additional twenty-two calendar days to the construction schedule received first reading.

Upon motion by Ms. Akers, seconded by Ms. Bledsoe, and approved by unanimous vote, the rules were suspended and the resolution was given second reading.

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

Aye:	Mossotti, Akers, Bledsoe, F. Brown, J. Brown, Evans, Farmer, Gibbs, Hensley, Henson, Kay, Lamb, Moloney	-------13
Nay:		---------0

Absent when the vote was taken: Stinnett, Scutchfield

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 8 to the Contract with Churchill McGee, LLC for the Public Safety Operations Center Phase 1B Renovation Project, increasing the contract price by the sum of $11,317.33 from $6,413,828.40 to $6,425,145.73 received first reading.

Upon motion by Ms. Henson, seconded by Mr. Kay, and approved by unanimous vote, the rules were suspended and the resolution was given second reading.

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

Aye:	Mossotti, Akers, Bledsoe, F. Brown, J. Brown, Evans, Farmer, Gibbs, Hensley, Henson, Kay, Lamb, Moloney	-------13
Nay:		---------0

Absent when the vote was taken: Stinnett, Scutchfield

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 28 to the Contract with Marillia Design & Construction for the Senior Citizen Center Construction Project, increasing the contract price by the sum of $41,188.00 from $10,232,894.37 to $10,274,082.37 received first reading.

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

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

Aye:	Mossotti, Akers, Bledsoe, F. Brown, J. Brown, Evans, Farmer, Gibbs, Hensley, Henson, Kay, Lamb, Moloney	-------13
Nay:		---------0

Absent when the vote was taken: Stinnett, Scutchfield

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The following resolutions received first reading and were ordered placed on file two weeks for public inspection.

A Resolution accepting the bid of Bluegrass Contracting Corp. in the amount of $479,230, for the Idle Hour Park Improvements, for the Dept. of General Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Bluegrass Contracting Corp. related to the bid.

A Resolution accepting the bid of Red River Ranch, LLC, establishing a price contract for Snow Plowing Operations for the Div. of Streets and Roads, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary agreement with Red River Ranch, LLC, related to the bid.

A Resolution accepting the bid of Fox Enterprises, Inc., in the amount of $139,828.45, for Concrete Apron Replacement at Fire Station No’s. 3, 6, 9 and 17, for the Div. of Fire and Emergency Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute any agreement, if necessary, with Fox Enterprises, Inc., related to the bid.

A Resolution accepting the bid of Mobile Tech Trailers, Inc., in the amount of $27,435, for a Fiber Optic Splicing Trailer, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Faro Technologies, Inc., in the amount of $84,681.50, for 3-D Laser Scanning System, for the Div. of Police.

A Resolution accepting the bid of Churchill McGee, LLC, in the amount of $868,675, for the Public Safety Operations Center (PSOC) Renovation - Phase 2, for the Dept. of Public Safety, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Churchill McGee, LLC, related to the bid.

A Resolution accepting the bid of Cleary Construction, Inc., in the amount of $18,000 for Removal and Replacement of Final Clarifier Sluice Gates, for the Div. of Water Quality.

A Resolution accepting the bids of Scina Lawncare Services, LLC, and All Pro Lawn and Landscaping, establishing price contracts for Snow Removal - Various Locations, for the Div. of Facilities and Fleet Management.

A Resolution ratifying the Probationary Civil Service Appointments of: David Fender, Public Service Supervisor Sr., Grade 517E, $1,850.40 biweekly in the Div. of Water Quality, effective upon passage of Council, Sherelle Pierre, Public Information Officer, Grade 523E, $2,759.20 biweekly in the Office of the Commissioner of Public Safety, effective November 16, 2015, Floyd Readnower, Building Inspection Supervisor, Grade 521E, $2,517.60 biweekly in the Div. of Building Inspection, effective November 30, 2015; ratifying the Permanent Civil Service Appointments of: William Crowders, Public Service Worker Sr., Grade 509N, $13.218 hourly, William Gahafer, Public Service Worker Sr., Grade 509N, $14.760 hourly, both in the Div. of Water Quality, effective May 17, 2015, Timothy Gentry, Public Service Worker Sr., Grade 509N, $13.218 hourly, effective November 19, 2014, and Tamar Tompkins, Administrative Specialist, Grade 513N, $16.118 hourly, effective January 14, 2015, both in Div. of Water Quality, Dustin Himes, Public Service Worker Sr., Grade 509N, $13.592 hourly, and Cameron Fogle, Public Service Worker Sr., Grade 509N, $13.383 hourly, effective June 8, 2015, Willis Barnett, Equipment Operator Sr., Grade 512N, $15.607 hourly, effective January 6, 2016, Aaron Johnson, Public Service Supervisor, Grade 514N, $18.638 hourly, effective June 1, 2015, Matthew Marsh, Equipment Operator Sr., Grade 109N, $13.179 hourly, effective June 16, 2014, Robert Austin, Public Service Supervisor, Grade 514N, $21.172 hourly, effective October 20, 2015, all in the Div. of

Water Quality, and Paul Willard, Engineering Technician Principal, Grade 518E, $2,429.20 biweekly in the Div. of Engineering, effective November 11, 2015; ratifying the following Probationary Community Corrections Officer Appointments: Kevin Johnson and Donald Bowles, both Corrections Lieutenant, Grade 114E, $2,162.45 biweekly, Randolph Jones and Tim Bowman, both Grade 115E, $2,541.82 biweekly, Corrections Captain, all in the Div. of Community Corrections, effective November 16, 2015; and ratifying the following Probationary Sworn Appointments: James Boyd, Police Sergeant, Grade 315N, $29.309 hourly, and Matthew Greathouse, Police Lieutenant, Grade 317E, $3,082.84 biweekly, both in the Div. of Police, effective November 30, 2015; and ratifying the approved Council Leave: for Tera Sullivan, Social Worker, in the Div. of Youth Services, beginning November 24, 2015 through February 21, 2016.

A Resolution suspending enforcement of Sections 18A-3 (requirement of Local Taxicab Permit), Section 18A-4 (Application and Renewal for a Local Taxi Cab Permit) and 18A-6 (Local Taxicab Permit Fees) of the Code of Ordinances until amendments to Chapter 18A are passed.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Advanced Mulching Technologies, Inc., dba EcoGro, to provide maintenance services for the Green Acres Stream Corridor Vegetative Buffer Ecological Restoration Project, for up to five years, subject to sufficient funds being appropriated in future fiscal years, at a cost not to exceed $20,075 in FY2016.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Office of Homeland Security, which Grant Funds are in the amount of $100,000, Federal funds, for the purchase and installation of a multi-purpose training prop under the 2015 State Homeland Security Grant Program, and 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 an Agreement with Pictometry International, Corp., a sole source provider, for the lease of oblique aerial photography and imaging software, required licenses, hosting services, and supporting maintenance, for up to six years, subject to sufficient funds being appropriated in future fiscal years, at a cost not to exceed $63,969.50 in FY 2016.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Office of Homeland Security, which Grant Funds are in the amount of $7,000 Federal funds, for the purchase of cyber security software under the 2015 State Homeland Security Grant Program, and 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. Office of Homeland Security, which Grant Funds are in the amount of $34,000 Federal funds, for the purchase of coded key card systems at Fire Stations #3 and #20 and for installation of security video cameras at Fire Station #1, under the 2015 State Homeland Security Grant Program, and 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. Fire Commission, which Grant Funds are in the amount of $7,750 Commonwealth of Ky. Funds, are for purchase of a forcible door entry training prop, and 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 an Agreement (awarded pursuant to RFP No. 38-2015) with RubinBrown, LLP, for accounting services for the Historic Fayette County Courthouse Rehabilitation Project, at a cost estimated not to exceed $36,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Service Agreement with qPublic, for software, at a cost not to exceed $3,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Lexington-Fayette County Parking

Authority for the reimbursement of the cost of repairs to the District Courthouse Parking Garage, at a cost not to exceed $320,000.

A Resolution authorizing and directing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute a Contract with Fayette County Public Schools, for the operation of preschool classrooms at the Family Care Center, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Summary Plan Description with Bluegrass Family Health (BFH), for the LFUCG Prescription Drug Plan, for the period of January 1, 2016 through December 31, 2016.

A Resolution amending Section 2 of Resolution No. 663-2015, which authorized the Mayor, on behalf of the Urban County Government, to execute a one-year extension to the Agreement with Benefit Insurance Marketing, Inc., correcting the contract price, from an amount not to exceed $58,500 to an amount not to exceed $117,000, effective retroactive to November 5, 2015.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement with the Novak Consulting Group, Inc., for human resources management audit services, at a cost not to exceed $72,500.

A Resolution authorizing and directing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute a Memorandum of Understanding with Planned Parenthood of In. and Ky., for the provision of a Parent Education Program for 45 students of the Family Care Center who are current and/or expectant teen mothers, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Newtown Springs, LLC, for installation of flagpoles within the easement granted by Newtown Springs, LLC, to the Urban County Government for the Legacy Trail, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Flexible Spending Benefits Plan Document with Chard, Snyder & Associates, Inc., for the LFUCG Employee Benefits Cafeteria Plan, pursuant to Section

125 of the Internal Revenue Code, for the period of January 1, 2016 through December 31, 2016.

A Resolution authorizing and directing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute and submit a Grant Application to the Ky. Board of Emergency Medical Services, 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 $10,000 Commonwealth of Ky. funds, for the purchase of training aids to assist in reading various cardiac related rhythms and for testing advanced life support monitors, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Business Associate Agreement with Chard, Snyder & Associates, Inc., for the security of protected health information under the LFUCG Group Health Benefit Plan, for the period of January 1, 2016 through December 31, 2016.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1, to the Contract with Wilhite Limited, Inc. for the installation of new boilers in the Government Center, increasing the contract price by the sum of $3,000 from $19,850 to $22,850.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 26 to the Contract with Marrillia Design & Construction for the Senior Citizen Center Construction Project, increasing the contract price by the sum of $34,005.13 from $10,183,731.24 to $10,217,736.37.

*   *   *

Mr. Hensley made a motion, seconded by Ms. Akers, to amend item 8 in the Mayor's Report to remove the appointment of Mr. Jeffrey Crabb. The motion was approved by majority vote (Mr. Stinnett and Ms. Scutchfield were absent when the vote was taken).

The Mayor's Report, as amended, was approved by a majority vote (Mr. Stinnett and Ms. Scutchfield were absent when the vote was taken) as follows: (1)

Recommending the appointment of Mr. Richard Owen, to the Address Enforcement Administrative Hearing Board, with term to expire November 19, 2018. (2) Recommending the appointment of Mr. Mark Brand, as Police representative, to the Animal Care and Control Advisory Committee, with term to expire November 19, 2019. (3) Recommending the appointments of Ms. Cheryl Jones, as Area Resident representative, and Mr. Lewis Brown, as Area Resident representative, to the Black and Williams Neighborhood Community Center Board, with terms to expire November 19, 2019. (4) Recommending the appointments of Ms. Amanda Henson, to fill an unexpired term, Mr. Christopher Hoskins, to fill an unexpired term, Mr. Frederick Seitz, to fill an unexpired term, and Ms. Sandra "Kay" Yates, to CASA of Lexington, with terms to expire June 11, 2017, June 11, 2017, August 26, 2019, and November 19, 2019, respectively. (5) Recommending the appointment of Ms. Anita Franklin, as Area Resident representative, for the Charles Young Center Advisory Board, with term to expire November 19, 2019. (6) Recommending the appointment of Ms. Laurie Doty, as the ER Physician representative, to the Emergency Medical Advisory Board, with term to expire November 19, 2019. (7) Recommending the appointment of Mr. Thomas Gaines to the Lexington Center Corporation Board of Directors, with term to expire November 19, 2019. (8) Recommending the reappointment of Ms. Janet Cabaniss, as the Fayette County Neighborhood Council representative with term to expire November 19, 2019. (9) Recommending the appointment of Mr. Nicholas Penn, as At-Large Member representative, to the Raven Run Citizens Advisory Board, with term to expire November 19, 2019. (10) Recommending the appointment of Ms. Erin Hilton, to fill the unexpired term of Lauren Campbell, Visit Lex representative, to the Special Events Commission, with term to expire June 1, 2016. (11) Recommending the appointment of Ms. Andrea Wilson, to the Social Services Advisory Board, with term to expire November 19, 2019. (12) Recommending the reappointment of Mr. Tom Blues, to the Water Quality Fees Board, with term to expire November 19, 2017.

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Commander David Lyons, Div. of Police, presented a police disciplinary recommendation regarding Police Sergeant Roy Wilson. It is alleged that Sergeant Wilson has committed the offense of Insubordination in violation of KRS 95.450 and

General Order 1973-02I, Section 1.36, in that on the 8th day of September, 2015 refused to sign a Letter of Counseling being presented to him for violating policy during an incident that occurred on July 3, 2015. The ramifications of not accepting the necessary counseling by his supervisor were explained to Sergeant Wilson. Sergeant Wilson failed to follow his supervisor's legitimate work order and take direction from his supervisor and the appropriate punishment for this conduct is One Hundred and Sixty (160) Work Hours (4 Weeks) of Suspension Without Pay.

Upon motion by Mr. Farmer, seconded by Mr. Kay, and approved by a majority vote (Mr. Stinnett and Ms. Scutchfield were absent when the vote was taken), the disciplinary recommendation was approved.

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Ms. Henson requested a commitment from Council Members to attend a zone change meeting on January 12, 2016.

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Mr. Moloney wished all attendees a happy Thanksgiving.

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Upon motion by Ms. Mossotti, seconded by Ms. Lamb, and approved by a majority vote (Mr. Stinnett and Ms. Scutchfield were absent when the vote was taken), the meeting adjourned at 9:44 p.m.

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Clerk of the Urban County Council