

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky April 13, 2017

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on April 13, 2017 at 6:04 p.m. Present were Mayor Gray in the chair presiding, and the following members of the council: Higgins, Kay, Lamb, Moloney, Mossotti, Plomin, Scutchfield, Stinnett, Bledsoe, F. Brown, J. Brown, Evans, Gibbs, and Henson. Absent was Council Member Farmer.

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

Ordinances No. 33-2017 through 40-2017, inclusive, and Resolutions No. 130-2017 through 187-2017, inclusive, were reported as having been signed and published and ordered to record.

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky April 13, 2017

The Invocation was given by Chaplain Laura Babbage of the University of Kentucky Medical Center.

* * *

Mr. Farmer arrived at the meeting.

* * *

Ms. Scutchfield moved to approve the minutes of the Zone Change Meetings on January 19 and 24, 2017, and the Council Meeting on January 31, 2017. The motion was seconded by Mr. Farmer.

Ms. Lamb made a motion, seconded by Mr. Farmer, to amend Ms. Scutchfield's motion and postpone the approval of the minutes of the January 19, 2017 Zone Change Meeting to April 27, 2017.

Mr. Stinnett commented on how votes are reflected in the minutes.

The motion to amend was approved by unanimous vote.

The amended motion to approve the minutes of the January 24, 2017 Zone Change Meeting and the January 31, 2017 Council meeting passed by unanimous vote.

* * *

Mayor Gray asked Ms. Mossotti to join him at the podium, along with the members of the Lexington Div. of Police Explorer's Post #357. Mayor Gray talked about the activities of the post and several recent awards it has received, and read a proclamation declaring April 13, 2017 as Police Explorer's Post #357 Day in Lexington.

Ms. Mossotti also congratulated the members of the Explorer's Post and commented on their well-deserved commendations.

* * *

Mr. Stinnett moved to cancel the April 13, 2017 Zoning Ordinance Text Amendment (ZOTA) Meeting scheduled for 7:00 p.m. and move second reading of an Ordinance amending Article 23A-10 of the Zoning Ordinance to allow for new land uses within the expansion area to the April 27, 2017 Council Meeting. Ms. Henson seconded the motion.

Vice Mayor Kay asked for information on the reasoning behind the motion. Mr. Stinnett advised the Council that the land owners, Div. of Planning staff members, and other interested parties are working to resolve the matter without a hearing.

The motion was approved by unanimous vote and the April 13, 2017 ZOTA Meeting was canceled and second reading of the ordinance was scheduled for the April 27, 2017 Council Meeting.

*

*

*

An Ordinance amending Section 14-37 of the Code of Ordinances of the Lexington-Fayette Urban County Government relating to curfew for minors, amending the definitions of "minor", "remain", and "allow"; amending the curfew time to 1:00 a.m. for all days; and deleting exceptions for reasonable necessity, sidewalk adjacent to residence, inside a motor vehicle, and homeless youth received second reading.

Mr. Stinnett moved to amend the Ordinance to change the time of 1:00 a.m. to 12:00 a.m. Mr. Moloney seconded the motion.

The Council discussed the motion, ordinance and the proposed amendment.

Ms. Mossotti asked questions of Chief Mark Barnard, Div. of Police. Chief Barnard responded.

The Council continued to discuss the Ordinance and the proposed amendment.

Ms. Scutchfield asked questions of Chief Mark Barnard, Div. of Police. Chief Barnard responded.

The amendment was approved by majority vote as follows:

Aye: Higgins, Lamb, Moloney, Scutchfield, -----8
Stinnett, Bledsoe, F. Brown, Henson

Nay: Kay, Mossotti, Plomin, J. Brown, Evans, -----7
Farmer, Gibbs

*

*

*

Mayor Gray departed the meeting and Vice Mayor Kay assumed the Chair.

*

*

*

Vice Mayor Kay discussed a matter of law with Ms. Glenda George, Dept. of Law.

An Ordinance amending Section 14-37 of the Code of Ordinances of the Lexington-Fayette Urban County Government relating to curfew for minors, amending

the definitions of "minor", "remain", and "allow"; amending the curfew time to 12:00 a.m. for all days; and deleting exceptions for reasonable necessity, sidewalk adjacent to residence, inside a motor vehicle, and homeless youth, as amended, received second reading.

Upon motion by Ms. Henson, seconded by Mr. Farmer, and approved by majority vote (Mr. Stinnett voted No), the vote on this ordinance was conducted separately from the vote for other ordinances that received second reading.

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

Aye:	Higgins, Lamb, Moloney, Plomin, Scutchfield, Stinnett, Bledsoe, F. Brown, J. Brown, Henson	-----10
Nay:	Kay, Mossotti, Evans, Farmer, Gibbs	-----5

* * *

An Ordinance changing the zone from a Light Industrial (I-1) zone to a Neighborhood Business (B-1) zone, for 0.21 net (0.47 gross) acres, and from a Wholesale and Warehouse Business (B-4) zone to a Neighborhood Business (B-1) zone, for 0.45 net (0.79 gross) acres, for properties located at 411 Chair Ave. and 410 DeRoode St. and 603, 607, 615, 617 and 619 S. Broadway. (Bernard Jeffery and Patricia M. Queen (Amd.); Council District 3) received second reading.

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

Aye:	Higgins, Kay, Lamb, Moloney, Mossotti, Plomin, Scutchfield, Stinnett, Bledsoe, F. Brown, J. Brown, Farmer, Gibbs, Henson	-----14
Nay:		-----0
Recused:	Evans	

* * *

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

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

An Ordinance amending the Classified Civil Service authorized strength by abolishing two (2) positions of Project Manager Sr., Grade 519E, and creating two (2) positions of Project Manager Sr., Grade 519N, in the Div. of Streets and Roads; transferring the incumbents from exempt to non-exempt positions and converting their biweekly salaries to hourly rates of pay, effective the first payroll Monday following passage of Council.

An Ordinance changing the zone from a High Density Apartment (R-4) zone to a High Rise Apartment (R-5) zone for 0.93 net (1.02 gross) acres, for property located at 238-248 E. Maxwell St. (Kappa Kappa Gamma, Inc; Council District 3).

An Ordinance changing the zone from a Light Industrial (I-1) zone to a Professional Office (P-1) zone for 25.50 net (29.22 gross) acres, for property located at 740 W. New Circle Rd. (a portion of), and from an Agricultural Urban (A-U) zone to a Professional Office (P-1) zone, for 4.56 net and gross acres of property, located at 1180 Newtown Pike (a portion of). (Lexmark International, Inc.; Council District 1).

An Ordinance changing the zone from an Expansion Area Residential (EAR-1) zone to an Expansion Area Residential (EAR-2) zone for 12.32 net (12.51 gross) acres, for property located at 425 Chilesburg Rd. (Anderson Bridgewater, LLC; Council District 7).

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. 42.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$30,000 in the Div. of Parks and Recreation from the Council Projects Funds for improvements to Woodland Park and appropriating and re-appropriating funds, Schedule No. 43.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$1,684 in the Div. of Family Services from the Council Projects Funds for signs, plant markers, a bench and information holders for a butterfly garden and appropriating and re-appropriating funds, Schedule No. 44.

*

*

*

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. 45 was on the docket for first reading.

Upon motion by Mr. Stinnett, seconded by Ms. Henson, and approved by unanimous vote, the ordinance was amended to add an additional Budget Amendment in the amount of \$203,800.41 for the Eastland Roll-call Center furniture for the Div. of Police, Schedule No. 45.

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. 45, as amended, received first reading and was ordered placed on file for public inspection until April 27, 2017.

*

*

*

The following ordinances received first reading and were ordered placed on file for public inspection until April 27, 2017:

An Ordinance establishing a local economic development and infill incentive program to be known as the Public Infrastructure Program and providing for its purpose, the creation of the Public Infrastructure Program Board, program fund protections, priorities, limitations, criteria, an application process, administration by the Commissioner of Planning, Preservation and Development, and a program fund; all effective upon date of passage.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$3,900 in the Div. of Streets and Roads from the Council Projects Funds to add concrete to a median at Haggard Ln. and Radcliffe Rd. and appropriating and re-appropriating funds, Schedule No. 46.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$65,796 in the Div. of Parks and Recreation from the Council Projects Funds for foul ball

protection/shade at Shillito Park Baseball Fields and appropriating and re-appropriating funds, Schedule No. 47.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$92,500 in the Div. of Streets and Roads from the Council Projects Funds for curb replacement around the medians at Mentelle Park and appropriating and re-appropriating funds, Schedule No. 48.

An Ordinance amending Subsection 2b-9(a) of the Code of Ordinances of the Lexington-Fayette Urban County Government to remove the word subsequent; amending Subsection 10-14.1(e)(8) of the Code to reference Chapter 12 of the Code; amending Subsections 14-105 (c) and (d) of the Code to provide for an assigned hearing officer and the civil enforcement process, issuance of citations, administrative hearings, and appeals as provided in Chapter 2b of the Code, deleting Subsections 14-105(e) and (f) of the Code in their entirety; renumbering Subsections 14-105 (g) and (h) of the Code to Subsections 14-105 (e) and (f) of the Code, and amending the civil fines for a first violation to \$100, of a second violation to \$250 and of a third or subsequent violation to \$500, to reference the correct Code sections; amending Subsections 16-8(e) and 16-8(g) of the Code to reference State law and Chapters 12 and 2b of the Code; amending Subsection 17-148(b) of the Code to provide for appeals of citations to an assigned hearing officer, seven days to appeal and to reference Chapter 2b of the Code; and amending Subsection 17-152(c) of the Code to provide for the filing of a lien in seven days if not appealed and to reference Chapter 2b of the Code, all effective upon date of passage.

An Ordinance amending Ordinance No. 160-2014, relating to the Economic Development Investment Board, to allow the chairman of the Urban County Council's Budget, Finance, and Economic Development Committee to designate a replacement from that Committee to serve in his or her place, to reflect the correct number of members appointed by the Mayor, and to remove members of the Lexington Industrial Foundation from consideration for Board membership.

An Ordinance amending the Classified Civil Service authorized strength by abolishing one (1) vacant position of Traffic Engineer, Grade 522E, and creating one (1)

position of ITS Engineer, Grade 523E, in the Div. of Traffic Engineering, effective upon passage of Council.

An Ordinance amending the Classified Civil Service authorized strength by abolishing one (1) vacant position of Electrical Instrumentation Technician, Grade 516N, one (1) vacant position of Landfill Inspector, Grade 509N, and one (1) vacant position of Operations Manager, Grade 520E, and creating three (3) positions of Administrative Specialist, Grade 513N, one (1) position of Public Service Worker, Grade 507N, and one (1) position of Staff Assistant Sr., Grade 510N, all in the Div. of Waste Management, effective upon passage of Council.

An Ordinance amending Section 1 of Ordinance No. 205-2016, which established the schedule of meetings for the Lexington-Fayette Urban County Council for the calendar year 2017, to add Committee of the Whole meetings on May 25 at 2:00 p.m., and June 6 at 9:00 a.m.; and to change the time of the Budget, Finance and Economic Development Committee meeting on May 23 from 1:00 p.m. to 10:00 a.m.

*

*

*

Ms. Scutchfield departed the meeting.

*

*

*

A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Classified Civil Service Appointments: Christopher Kirkland, Technical Specialist, Grade 515N, \$19.150 hourly in the Div. of Computer Services, effective April 24, 2017, Joshua Dezarn, Municipal Engineer, Grade 525E, \$2,589.12 biweekly in the Div. of Engineering, effective May 8, 2017, Clifton Stone, \$18.665 hourly, William Rambert, \$18.233 hourly, and Latonya McClain, \$17.662 hourly, all Resource Recovery Operator, Grade 513N, in the Div. of Waste Management, Scott Jeffries, Treatment Plant Operator, Grade 515N, \$20.578 hourly in the Div. of Water Quality, all effective April 24, 2017, Garry Sennett, Technical Services Supervisor, Grade 521E, \$2,206.16 biweekly in the Div. of Police, effective upon passage of Council, Alan Brady, \$20.420 hourly, and Jordan Maynard, \$21.537 hourly, both Building Inspector, Grade 517N, in the Div. of Building Inspection, effective April 24, 2017, and Matthew Burton, Heavy Equipment Technician, Grade 516N, \$19.836 hourly in the Div. of Facilities and Fleet Management, all effective April 24, 2017;

authorizing the Div. of Human Resources to make a conditional offer to the following
Unclassified Civil Service appointment: Melissa Martin, Victims Advocate/Bilingual,
Grade 514N, \$18.589 hourly in the Div. of Police, effective upon passage of Council
received first reading.

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

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

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

Nay: -----0

Scutchfield was absent for the vote.

*

*

*

A Resolution authorizing the Mayor, on behalf of the Urban County Government,
to execute Agreements with Lexington Community Radio (\$1,400), Lexington
Leadership Foundation, Inc. (\$1,100), and On the Move Art Studio (\$1,350), 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. Scutchfield was absent for the vote), the rules were suspended and the
resolution received second reading.

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

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

Nay: -----0

Scutchfield was absent for the vote.

*

*

*

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute deeds and any other necessary documents to accept a portion of (4.48 acres) the property located at 3097 Helmsdale Place from the Ky. Utilities Co., for the Brighton Rail Trail Phase 4 Project; Granting the Ky. Utilities Co. a permanent utility and access easement on the property, at no cost to the Urban County Government received first reading.

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

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

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

Nay: -----0

Scutchfield was absent for the vote.

*

*

*

A Resolution amending Resolution No. 82-2017, which declared a moratorium on all applications for building permits for properties located along the north side of the Versailles Rd. corridor, from Halls Lane to Oxford Circle, more specifically defined as the following properties: 1411-1907 Versailles Rd. (odd numbered), and for properties located along the south side of the Versailles Rd. Corridor, more specifically defined as the following properties: 1410 to 1824 Versailles Rd. (even numbered), to release all properties in the moratorium except for 1501-1509 Versailles Rd. (odd-numbered); to allow the Planning Commission and the Urban County Government sufficient time to consider the development needs of the Versailles Rd. Corridor and the proper zoning for potential affordable housing in the area; and setting the duration for the amended moratorium from April 13, 2017 through August 31, 2017 received first reading.

Upon motion by Ms. Henson, seconded by Ms. Mossotti, and approved by majority vote (Ms. Scutchfield was absent for the vote), the rules were suspended and the resolution received second reading.

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

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

Nay: -----0

Scutchfield was absent for the vote.

*

*

*

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Chrysalis House, Inc. for services provided by the Dept. of Social Services, at no cost to the Urban County Government received first reading.

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

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

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

Nay: -----0

Scutchfield was absent for the vote.

*

*

*

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Highlands Neighborhood Association, Inc. (\$500), Andover Forest Home Owners Association, Inc. (\$1,020), the Friends of the Parks in Fayette Co., Inc. (\$850), Lexington Sister Cities Programs, Inc. (\$1,350), and the Woodward-Lander Home Owners Association (\$400), for the Office of the Urban County Council, at a cost not to exceed the sums stated received first reading.

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

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

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

Nay: -----0

Scutchfield was absent for the vote.

*

*

*

The following resolutions received first reading and were ordered placed on file for public inspection until April 27, 2017:

A Resolution accepting the bids of Casey Burke d/b/a Casey's Custom Mowing; Edgington Mowing Service, Inc.; Green Solutions Landcare, LLC; Judy Combs d/b/a Landscape Supply and Design; McGee Springs, Inc.; Mow Edge Blow Lawn Service, LLC; Wright's Home Improvement and Mowing, LLC; and Simple Image, LLC, establishing price contracts for Mowing, for the Div. of Environmental Services.

A Resolution accepting the bid of ChemTreat, Inc., establishing a price contract for Manhole Odor Control Chemicals and Containment Delivery System, for the Div. of Water Quality.

A Resolution accepting the bid of Bulk Plants, Inc., establishing a price contract for Bulk Fuel, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bids of Anderson Mulch & Soil, LLC; and Countryside Play Structures, LLC, establishing price contracts for Wood Fiber Safety Surface, for the Div. of Parks and Recreation.

A Resolution accepting the bid of Omni Commercial, LLC, in the amount of \$457,783, for LFD Facilities Maintenance Building Phase II, for the Div. of Fire and Emergency Services.

A Resolution accepting the bid of Ken Isaacs Interiors, Inc., establishing a price contract for Flooring Installation, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Wesley Pruitt d/b/a Pruitt Farms, in the amount of \$2,000 per year for the leasing of Farmland-West Hickman Wastewater Treatment Plant, be and hereby is accepted and approved, and the Mayor, on behalf of the Urban

County Government, be and hereby is authorized and directed to execute any necessary Agreement with Wesley Pruitt related to the bid.

A Resolution accepting the bids of ICS Jail Suppliers, Inc., and MTJ American, LLC, establishing price contracts for Mattresses, for the Div. of Community Corrections.

A Resolution accepting the bid of 1st Response Technologies, LLC; establishing a price contract for Vehicle Equipment Installation, for the Div. of Police.

A Resolution accepting the bid of Trinity Services Group, Inc., establishing a price contract for Commissary Services, for the Div. of Community Corrections.

A Resolution accepting the bid of Special Electronics, Inc., in the amount of \$32,843.34, for Advanced Electronic IED Disablement Training and Related Equipment, for the Div. of Facilities and Fleet Management, and also establishing a price contract for related equipment and services.

A Resolution ratifying the Probationary Classified Civil Service Appointments of: Christopher Doerge, Systems Administrator Enterprise Solutions, Grade 523E, \$2,618.88 biweekly in the Div. of Enterprise Solutions, Rodney Guy, \$18.674 hourly and Steven Beatty, \$16.715 hourly, both Resource Recovery Operator, Grade 513N, in the Div. of Waste Management, all effective April 17, 2017, Ashley Cavendish, Telecommunicator Sr., Grade 517N, \$20.747 hourly, in the Div. of Emergency Management/911, effective May 1, 2017, Rose Jelley, Public Service Supervisor, Grade 514N, \$19.637 hourly, in the Div. of Facilities and Fleet Management, Claire McBride, Telecommunicator Sr., Grade 517N, \$20.318 hourly in the Div. of Emergency Management/911, both effective April 17, 2017, and Brian Travis, Life Skills Program Specialist, Grade 515N, \$18.740 hourly in the Div. of Community Corrections, effective April 24, 2017; ratifying the Permanent Civil Service Appointments of: Richard Dugas, Environmental Program Manager-Energy, Grade 522E, \$2,269.20 biweekly in the Div. of Environmental Services, effective March 6, 2017, Frank White II, Heavy Equipment Mechanic, Grade 516N, \$21.214 hourly, effective April 17, 2017 and Tamara Hernandez-Serrano, Public Service Worker, Grade 507N, \$13.357 hourly, effective March 19, 2017, both in the Div. of Facilities and Fleet Management, Christopher Bronczyk, Planner, Grade 517N, and Autumn Midyett Goderwis, Planner Sr., Grade 521N, \$25.581 hourly, both in the Div. of Planning, effective April 3, 2017, and Michelle

Franzetti, Special Events Service Manager, Grade 518E, \$1,845.31 biweekly, effective March 6, 2017 and Heath Jackson, Public Service Worker, Grade 507N, \$13.628 hourly, effective April 10, 2017, both in the Div. of Parks and Recreation; ratifying the Probationary Sworn Appointments of: Joseph Price, Chad Donahue and Andrew Colgin, all Corrections Sergeant, Grade 112N, \$23.937 hourly, Jacob Crawford and Maulana Trowell, both Corrections Lieutenant, Grade 114E, \$2,289.23 biweekly, all in the Div. of Community Corrections, and Brandon Helm, Police Sergeant, Grade 315N, \$30.538 hourly in the Div. of Police, all effective April 17, 2017; ratifying the Unclassified Civil Service appointment of: Kevin Levesque, Project Engineering Coordinator, Grade 525E, \$2,401.52 biweekly in the Div. of Water Quality, effective March 20, 2017; ratifying the following Unclassified Civil Service pay increase in the Office of the Urban County Council: Teresa Grider, Budget Analyst Sr., Grade 521E, from \$2,642.80 biweekly to \$2,774.94 biweekly, in the Office of the Urban County Council, effective April 3, 2017; and ratifying the approved Council leave of: Destiny Rickman, Community Corrections Officer Recruit, Grade 109N, in the Div. of Community Corrections, beginning April 5, 2017 through July 3, 2017.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Purchase of Service Agreements with (1) Build Inclusion, Inc., Ky. Easter Seal Society, Inc. d/b/a Easter Seals Cardinal Hill, and Down Syndrome Association of Central Ky., Inc. (\$12,500), (2) Building Industry Association of Central Ky. d/b/a Building Institute of Central Ky. (\$20,000), (3) FoodChain, Inc. (\$20,000), (4) Hospice of the Bluegrass, Inc. d/b/a Bluegrass Care Navigators (\$20,000), (5) Jubilee Jobs of Lexington, Inc. (\$20,000), (6) Opportunity Workshop of Lexington, Inc. d/b/a Opportunity for Work and Learning, Inc. (\$20,000), and (7) Urban League of Lexington - Fayette County, Inc. and Bluegrass Community and Technical College (\$37,500), to provide workforce development, job training, and job placement services to the public, at a total cost not to exceed \$150,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement (awarded pursuant to Ky. Transportation Cabinet (KYTC) Price Contract MA-785-1700000114), with Strand Associates, Inc., for design services on the turn lanes at the intersection of Manchester

Street and South Forbes Rd., in coordination with the Town Branch Trail Phase 6 Project, at a cost not to exceed \$71,418.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Brandstetter Carroll, Inc., for the Fire Station #24 Design Project, increasing the contract price by the sum of \$9,850 from \$384,111 to \$393,961.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Fire Commission and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$90,000 Commonwealth of Ky. funds, under the 2017 Ky. Fire Commission Fire Training Facility Grant Program, and are for the purchase of two live fire vehicle fire simulator props.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the University of Ky. Albert B. Chandler Medical Center, for the provision of space in the University of Ky. Hospital Emergency Room for use as a clinical practice area for the Sexual Assault Nurse Examiner (SANE) Program, at a cost not to exceed \$3,000.

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 \$64,000 Federal funds, under the Transportation Alternatives Program (TAP), and are for the design phase of the Armstrong Mill Rd. Sidewalks Project, the acceptance of which obligates the Urban County Government for the expenditure of \$16,000 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 accept a Grant from the Ky. Transportation Cabinet, which Grant funds are in the amount of \$20,000 Federal funds, under the Transportation Alternatives Program (TAP), and are for the design phase of the Beaumont YMCA Trail Project, 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 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 \$120,000 Federal funds, under the Transportation Alternatives Program (TAP), and are for the design phase of the Citation Trail Project, the acceptance of which obligates the Urban County Government for the expenditure of \$30,000 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 accept a Grant from the Ky. Transportation Cabinet, which Grant funds are in the amount of \$100,000 Federal funds, under the Transportation Alternatives Program (TAP), and are for the design phase of the Elizabeth St. Sidewalks Project, the acceptance of which obligates the Urban County Government for the expenditure of \$25,000 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 accept a Grant from the Ky. Transportation Cabinet, which Grant funds are in the amount of \$20,000 Federal funds, under the Transportation Alternatives Program (TAP), and are for the design phase of the Oxford Circle Sidewalks Project, 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 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 \$100,000 Federal funds, under the Transportation Alternatives Program (TAP), and are for the design phase of the Rosemont Garden Sidewalks Project, the acceptance of which obligates the Urban County Government for the expenditure of \$25,000 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 accept a Grant from the Ky. Transportation Cabinet, which Grant funds are in the amount of \$60,000 Federal funds, under the Transportation Alternatives

Program (TAP), and are for the design phase of the South Elkhorn Trail Project, the acceptance of which obligates the Urban County Government for the expenditure of \$15,000 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 accept a Grant from the Ky. Transportation Cabinet, which Grant funds are in the amount of \$80,000 Federal funds, under the Transportation Alternatives Program (TAP), and are for the design phase of the Todds Rd. Sidewalks Project, the acceptance of which obligates the Urban County Government for the expenditure of \$20,000 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 accept a Grant from the Ky. Transportation Cabinet, which Grant funds are in the amount of \$80,000 Federal funds, under the Transportation Alternatives Program (TAP), and are for the design phase of the Wilson Downing Sidewalk Project, the acceptance of which obligates the Urban County Government for the expenditure of \$20,000 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 Memorandum of Agreement with Bluegrass Community and Technical College (BCTC), to provide services relating to water quality monitoring in the Cane Run Watershed, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Service Agreement with Windstream Communications, for installation of redundant telephone fiber circuits for the 911 Center located at the Public Safety Operations Center (PSOC), at no additional cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an amended Summary Plan Description with Chard, Snyder & Associates, Inc., for the LFUCG Flexible Spending Benefits Plan, pursuant to Section 125 of the Internal Revenue Code, for the period of January 1, 2017 through December 31, 2017.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation in the amount of \$500 from Bluegrass Families First, Inc., for support of the Courtyard Restoration and Accessibility Project at the Family Care Center.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a renewal of the Software Maintenance and End User License Agreement with Horizon Information Systems, Inc., for the representative payee software, for the Dept. of Social Services, at a cost not to exceed \$626.50.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 4 with the Ky. Transportation Cabinet, for the acceptance of additional Federal funds in the amount of \$32,000 for the Polo Club Boulevard Design Phase, the acceptance of which obligates the Urban County Government for the expenditure of \$8,000 as a local match.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 (Final) to the Agreement with Judy Construction Co., for the Town Branch Waste Water Treatment Plant Headworks Improvements Project, increasing the contract price by the sum of \$19,880 from \$968,000 to \$987,880.

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 Clays Mill Rd. Stormwater Improvement Project, at a cost not to exceed \$10,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Murphy + Graves Architects, PLLC, for the Emergency Operations Center Renovation Project, increasing the contract price by the sum of \$115,000 from \$427,000 to \$542,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Commonwealth of Ky. Office of Highway Safety, which Grant funds are in the amount of \$25,000 Federal funds, are for Supplemental Police Traffic Services Enforcement for FY 2017, 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 an Amendment to Agreement with the Ky. Transportation Cabinet (KYTC), to extend the period of performance for the Town Branch Trail Phase III Project through June 30, 2018, 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 Amendment to Agreement with the Ky. Transportation Cabinet (KYTC), to extend the period of performance for the Town Branch Trail Commons-Midland Section through June 30, 2019, 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 Amendment to Agreement with the Ky. Transportation Cabinet (KYTC), to extend the period of performance for the Legacy Trail Phase III Project through June 30, 2019, 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 Amendment to Agreement with the Ky. Transportation Cabinet (KYTC), to extend the period of performance for the Gainesway Park Trail Project through December 31, 2018, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit the 2017 Consolidated Plan/Grant Application to the United States Dept. of Housing and Urban Development (HUD), to provide any additional information requested in connection with this Grant Application, and to accept the Grant if the application is approved, which Grant funds are in the amount of \$3,223,052 Federal funds, are for FY 2018 Community Development Block Grant (CDBG) Program (\$2,073,408), Home Program (\$965,289), and Emergency Solutions Grant (ESG) Program (\$184,355), the acceptance of which obligates the Urban County Government for the expenditure of \$291,545 from various funding sources as a local cash match and \$100,000 in-kind match; authorizing the Mayor to execute Agreements for the approved Plan 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 Agreement awarding a Class B (Infrastructure) Incentive Grant to

Link-Belt Construction Equipment Co., L.P., LLLP, for stormwater quality projects, at a cost not to exceed \$44,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to 150 Northland Drive, LLC, for stormwater quality projects, at a cost not to exceed \$19,950.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2 to the Contract with Tri-City Painting and Contracting for the Morton House Exterior Repairs Project, decreasing the contract price by the sum of \$19,600 from \$116,000 to \$96,400.

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. for Local Government and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$60,626 under the Recreational Trails Grant Program, and are for the Legacy Trail Maintenance and Repairs for FY 2018.

A Resolution renaming the Downtown Arts Center the Pam Miller Downtown Arts Center in honor of former Lexington Mayor Pam Miller.

*

*

*

Upon motion by Mr. Farmer, and seconded by Ms. Plomin, the Communications from the Mayor were approved by majority vote (Ms. Scutchfield was absent for the vote) and were as follows: (1) Recommending the reappointment of Mr. Brian Burton to the Bluegrass Crime Stoppers, with term expiring April 13, 2021; and the appointments of Mr. Manlus Burton and Mr. Mark Thomas, Police Representative, both filling unexpired terms, to the Bluegrass Crime Stoppers, with terms expiring March 19, 2019 and December 31, 2018, respectively; (2) Recommending the appointment of Mr. Larry Johnson, LFUCG Representative, and Mr. Dale Morgan, Area Resident, to the Charles Young Center Advisory Board, both filling unexpired terms with terms expiring March 1, 2018 and March 3, 2020 respectively; (3) Recommending the appointment of Ms. Aalaa Albaroudi, and the reappointment of Dr. T.K. Logan to the Domestic Violence Prevention Board, with terms expiring January 1, 2021; (4) Recommending the appointment of Mr. Kevin Atkins, Mayoral Designee, to the Downtown Lexington

Management District Board of Directors, with term expiring December 8, 2019; (5) Recommending the appointment of Eric Dunnigan to the Economic Development Investment Board, with term expiring April 13, 2021; (6) Recommending the appointments of Ms. Amy DiCarlantonio, District 5 Additional Member, Mr. Joshua Irvin, District 8 Member, and Mr. Adam Layne, District 2 Member, to the Environmental Commission, with terms expiring April 13, 2021; (7) Recommending the appointment of Mr. Bruce Davis, to the Homelessness Prevention and Intervention Board, filling an unexpired term with term expiring October 23, 2018; (8) Recommending the appointment of Ms. Olivia Davis, At-Large Member, to the Lyric Theatre and Cultural Arts Center Board of Directors, filling an unexpired term with term expiring August 13, 2019; and, (9) Recommending the appointment of Council Member Kathy Plomin, Councilmember Representative, to the Raven Run Citizens Advisory Board, filling an unexpired term with term expiring February 9, 2021.

*

*

*

The following Communications from the Mayor were received for information only: (1) Classified Civil Service Transfer of Andre Ingram, Public Service Worker, Sr., Grade 509N, \$14.036 hourly from the Div. of Streets and Roads to the Div. of Water Quality, effective April 17, 2017; (2) Resignation of Steven Buxton, Fire Lieutenant, Grade 315N, Div. of Fire and Emergency Services, effective March 1, 2017; (3) Resignation of Erin M. Dixon, Stores Clerk, Grade 508N, Div. of Streets and Roads, effective March 15, 2017; (4) Resignation of Donard S. Dwyer, Treatment Plant Operator - Apprentice, Grade 509N, Div. of Water Quality, effective March 26, 2017; (5) Resignation of Dylan Cupp, Police Officer, Grade 311N, Div. of Police, effective March 18, 2017; (6) Resignation of Hailey Doty, Police Officer, Grade 311N, Div. of Police, effective March 7, 2017; (7) Resignation of Jonathan House, Police Officer, Grade 311N, Div. of Police, effective March 7, 2017; (8) Resignation of Jordan Moody, Police Officer, Grade 311N, Div. of Police, effective March 9, 2017; and (9) Reinstatement of William Shearer, Community Corrections Officer, Grade 110N, \$16.869 hourly in the Division of Community Corrections, effective April 24, 2017.

*

*

*

At 7:17 p.m., Vice Mayor Kay opened the Public Hearing on the Change of Use for the real property located at 1530 Nicholasville Rd. and invited public comment.

There being no one who appeared to speak at the hearing, Vice Mayor Kay closed the public hearing at 7:17 p.m.

*

*

*

Mr. J. Brown talked about his preparation for throwing the first pitch of the Lexington Legends' 2017 season and his anticipation of the coming baseball season. He reminded the Council of the Legends' invitation to the Council to attend on Saturday, April 15, 2017. He also described a Neighborhood Leaders meeting at Transylvania University on April 19, 2017 at 6:00 p.m.

*

*

*

Ms. Plomin talked about a recent trip to Keeneland with other council members, and seeing the work that goes on behind the scenes.

*

*

*

Ms. Scutchfield returned to the meeting.

*

*

*

Commander Guy Greene, Div. of Police, presented a disciplinary matter regarding Officer Nathan Barks. It is alleged that Officer Barks committed the offense of At Fault Collisions in violation of KRS 95.450 and General Order 1973-02/1 Disciplinary Procedures, Appendix B, Operational Rules 1.40 in that on the second day of February 2017 he allegedly had been involved in three (3) at fault collisions within a twelve (12) month period. The collisions occurred on December 18, 2016, December 19, 2016, and on February 2, 2017. The appropriate disciplinary action is a Written Reprimand and 80 Hours Home Fleet Suspension.

Mr. Farmer made a motion to approve the disciplinary action. The motion was seconded by Ms. Henson.

Ms. Evans asked for clarification and Commander Greene responded.

Mr. J. Brown asked for clarification and Commander Greene responded.

The motion was approved by unanimous vote and the disciplinary action was approved.

*

*

*

Commander Greene presented a disciplinary matter regarding Officer Roman A. Sorrell. It is alleged that Officer Sorrell committed the offense of Violating Operation of Vehicles in violation of KRS 95.450 and General Order 1973-02/I Disciplinary Procedures, Appendix B, Operational Rules, Section 1.13 in that Officer Roman A. Sorrell allegedly, on Sunday, February 5 at 10:15 a.m., was responding from West Roll Call to an Officer Needs Assistance Call on Deweese Street. Officer Sorrell was traveling inbound on Old Frankfort Pike with his lights and siren activated and was involved in a collision at the intersection of Old Frankfort Pike at S. Forbes Rd. After reviewing the incident, it is alleged Officer Sorrell failed to operate his issued department vehicle with due regard or in a careful, prudent manner. The appropriate disciplinary action is Twenty (20) Hours Suspension Without Pay and Emergency Driver Retraining.

Ms. Henson made a motion to approve the disciplinary action. The motion was seconded by Mr. Farmer.

Ms. Evans asked for clarification and Commander Greene responded.

The motion was approved by unanimous vote and the disciplinary action was approved.

*

*

*

Chief John Gosper, Div. of Fire, presented a disciplinary matter regarding Firefighter Gregg Shroyer. It is alleged that Firefighter Shroyer has committed the offense of sending out unauthorized "LFD-all" in violation of KRS 95.450 (inefficiency, misconduct, insubordination or violation of law or rule) and violation of UDG 2.01 Conduct Unbecoming, in that on the 22nd day of December 2016 he allegedly sent out an email that was not authorized and derogatory of the department. The appropriate disciplinary action is a Written Reprimand.

Upon motion by Mr. Farmer, seconded by Ms. Plomin, and approved by unanimous vote, the disciplinary action was approved.

*

*

*

Upon motion by Mr. Stinnett, seconded by Mr. Moloney, and approved by unanimous vote, the meeting adjourned at 7:26 p.m.

Deputy Clerk of the Urban County Council