

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky May 25, 2017

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on May 25, 2017 at 6:04 p.m. Present were Mayor Gray in the chair presiding, and the following members of the council: Mossotti, Plomin, Scutchfield, Smith, Stinnett, Bledsoe, F. Brown, J. Brown, Evans, Farmer, Gibbs, Henson, Kay, Lamb, and Moloney.

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

Ordinances No. 61-2017 through 72-2017, inclusive, and Resolutions No. 250-2017 through 289-2017, inclusive, were reported as having been signed and published and ordered to record.

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky May 25, 2017

The Invocation was given by the Rev. Adam Jones, Pastor at Open Door Baptist Church.

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Upon motion by Vice Mayor Kay, seconded by Ms. Mossotti, and approved by unanimous vote, the Minutes of the February 9 and February 23, 2017 Council Meetings, and the February 9, 2017 Zone Change Hearing were approved.

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Upon motion by Ms. Lamb, seconded by Mr. Farmer, and approved by unanimous vote, an Ordinance amending Article 23A-10 of the Zoning Ordinance to allow for new land uses within the expansion area was separated for consideration from other ordinances.

Ms. Lamb spoke about the ordinance and requested Mr. James Duncan, Div. of Planning, to clarify differences between this version of the ordinance and a previous version of the same proposed ordinance.

Mr. Duncan spoke to the Council about the differences.

Mr. Farmer asked what properties are affected by the ordinance, and asked about exaction fees. Mr. Duncan responded.

Ms. Bledsoe asked about the history of the ordinance and principal uses. Mr. Duncan responded.

Mr. Stinnett spoke about the history of the proposed ordinance and similar ordinances.

Ms. Lamb spoke about the need for transparency with the public, and the need for the public to understand the latest amendment to the ordinance.

Ms. Henson asked about the acreage of affected parcels of land, and development of the land, and Mr. Duncan responded.

The following persons spoke in favor of the ordinance, although all of them noted they do not believe the ordinance goes far enough to serve their interests: (1) Mr. Jacob

Walbourn, counsel for the Cowgill family; (2) Ms. Christy Harris, Winchester Road; and (3) Mr. Richard Murphy, counsel for Dennis Anderson.

Ms. Mossotti asked about flexibility within the ordinance for the development of the affected properties and she suggested revisiting the process used to craft this ordinance. Mr. Duncan responded.

The Ordinance received second reading.

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

Aye:	Mossotti, Plomin, Scutchfield, Smith, Stinnett, Bledsoe, F. Brown, J. Brown, Evans, Farmer, Gibbs, Henson, Kay, Lamb, Moloney	-----15
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Nay:		-----0
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The following ordinance received second reading. Upon motion by Ms. Henson, and seconded by Mr. Farmer, the ordinance was approved by the following vote:

Aye:	Mossotti, Plomin, Scutchfield, Smith, Stinnett, Bledsoe, F. Brown, J. Brown, Evans, Gibbs, Henson, Lamb, Moloney	-----13
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Nay:	Farmer, Kay	-----2
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An Ordinance amending Section 18-1(19) of the Lexington-Fayette Urban County Code of Ordinances, to include those in wheelchairs in the definition of “pedestrian”; creating Section 18-94 in Article VIII of Chapter 18 of the Code of Ordinances to prohibit the crossing of arterial roadways in any location other than a crosswalk, an intersection with traffic control signals or devices, or an intersection; to prohibit pedestrians from entering arterial roadways to approach vehicles and from being upon medians in arterial roadways; and amending Sections 18-164 and 18-166, relating to general penalties and the penalties for violations of specific sections, respectively, to update the monetary penalties provided therein and to provide a penalty for violation of Section 18-94.

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

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

Nay: -----0

An Ordinance changing the zone from a Wholesale and Warehouse Business (B-4) zone to a Planned Neighborhood Residential (R-3) zone, for 0.34 net (0.43 gross) acres, for property located at 1251 Red Mile Rd. (David M. Harl and Josophia D. Harl; Council District 11.)

An Ordinance amending Article 23A-9 of the Zoning Ordinance to allow banquet facilities as a principal use in the CC Zone (Joel Brown).

An Ordinance amending Article 8-24 of the Zoning Ordinance to allow additional uses in the Office, Industry and Research Park (P-2) zone (University of Ky.).

An Ordinance amending the Classified Civil Service authorized strength by abolishing one (1) position of Administrative Specialist Sr., Grade 516N, and creating one (1) position of Administrative Specialist Principal, Grade 518N, and reclassifying the incumbent in the Dept. of Public Safety, effective the beginning of the next pay period following passage of Council.

An Ordinance amending the Unclassified Civil Service authorized strength by abolishing one (1) position of SANE Program Manager, Grade 519E, and creating one (1) position of SANE Program Manager, Grade 525E, and reclassifying the incumbent in the Div. of Police, effective the beginning of the next pay period following passage of Council.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$1,875 for the Div. of Environmental Services from Neighborhood Development Funds for tree planting project through Keep Lexington Beautiful, Schedule No. 58.

An Ordinance relocating a prohibition on the accumulation of animal excrement where an animal is kept from Section 4-12.2 of the Lexington-Fayette Urban County Code of Ordinances to Section 4-2 of the Code, concerning the care and treatment of

animals, and extending animal housing sanitation standards to animals other than dogs; amending Section 4-9 of the Code to clarify that the owner of an animal seized for being kept in unsanitary or unsafe conditions is liable for the cost of impoundment; amending Section 4-12.2 of the Code of Ordinances to prohibit an owner from allowing his or her animal to give any human the reasonable impression of immediate physical danger; amending Section 4-14 of the Code of Ordinances to authorize Lexington-Fayette Urban County animal control officers to take temporary custody of any dog that has bitten a person or domestic animal without provocation or any vicious dog kept in violation of local and state kenneling requirements, and to hold such dog pending judicial resolution of the matter; requiring the owner of any dog so held to pay a boarding fee of \$8 per day; permitting the animal control officer to dispose of the dog should its owner fail to reclaim it in a timely manner; requiring the animal control officer to maintain a photographic registry of all dogs in Lexington-Fayette County declared vicious by the court and requiring the owner of any dog declared vicious to provide the registry with information concerning the animal; requiring all vicious dogs in Lexington-Fayette County to be spayed or neutered and tagged with microchip identification; and amending Section 4-19 of the Code of Ordinances to define any unattended dog on private or public property without the permission of the property owner as running at large.

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. 52.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$43,820 in the Div. of Streets and Roads for paving projects within District 5 and appropriating and re-appropriating funds, Schedule No. 53.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$2,500 in the Div. of Parks and Recreation for additional and replacement of sidewalk in the loop in Duncan Park and appropriating and re-appropriating funds, Schedule No. 54.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$5,833.65 in the Div. of Environmental Services for purchase of trailer to support crews who assist with greenspace maintenance and appropriating and re-appropriating funds, Schedule No. 55.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$20,217.35 in the Div. of Environmental Services for purchase of a stump grinder and appropriating and re-appropriating funds, Schedule No. 56.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$10,500 in the Div. of Environmental Services for replacement of plank fencing on Man O War at Victoria Way and appropriating and re-appropriating funds, Schedule No. 57.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$20,890 in the Div. of Parks and Recreation for shades at the Moondance Amphitheatre and appropriating and re-appropriating funds, Schedule No. 59.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$15,000 in the Div. of Parks and Recreation for Harrods Hill basketball court repaving and appropriating and re-appropriating funds, Schedule No. 60.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$4,860 in the Div. of Traffic Engineering for pedestrian wayfinding wraps and appropriating and re-appropriating funds, Schedule No. 61.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$4,969 in the Div. of Fire and Emergency Services for a sign, landscaping and improvements at Station 12 - Southland Drive and appropriating and re-appropriating funds, Schedule No. 62.

An Ordinance amending Sections 17-2, 17-3, and 17-4 of the Code of Ordinances of the Lexington-Fayette Urban County Government relating to numbering property, addressing, renumbering, maintenance of number display and penalties; adding the Div. of Enhanced 911, Office of Addressing as the authorizing division; amending the definitions of “address”, “property number”, “site number”, “building number”, “principal building or structure”, and “private access easement”; amending the street number and type requirements; adding a timeframe for disconnected street assessment; amending the renumbering of property process; and amending the violations section, correcting the reference to the Land Subdiv. Regulations.

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An Ordinance amending Article 8-20 of the Zoning Ordinance to allow kindergartens, nursery schools and child care centers without restriction in the Highway Service Business (B-3) zone (One Venue, LLC) received first reading.

Upon motion by Ms. Bledsoe, seconded by Vice Mayor Kay, and approved by majority vote (Ms. Henson voted No), the rules were suspended and the ordinance received second reading.

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

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

Nay: -----0

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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. 63 was on the docket for first reading.

Upon motion by Mr. Farmer, seconded by Vice Mayor Kay, and approved by unanimous vote, the ordinance was amended to correct the total amount of the Budget Journal 103348-49 for Federal Highway FY 2015 grant to be \$31,333.31 instead of \$31,567.88. This change reflects the true amount of the grant to be closed.

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. 630, as amended, received first reading and was ordered placed on file for public inspection until June 15, 2017.

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The following ordinances received first reading and were ordered placed on file for public inspection until June 15, 2017.

An Ordinance changing the zone from a Townhouse Residential (R-1T) zone to a Planned Neighborhood Residential (R-3) zone, for 3.77 net (4.80 gross) acres, for property located at 1580 Higbee Mill Rd. (a portion of). (Taylormade Real Estate, LLC; Council District 9).

An Ordinance changing the zone from a Single Family Residential (R-1B) zone to a Light Industrial (I-1) zone, for 1.88 net (2.03 gross) acres, for property located at 1387 E. New Circle Rd. (a portion of). (Turner Property 2, LLC; Council District 7).

An Ordinance changing the zone from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone, for 1.09 net (1.41 gross) acres, for property located at 2301 Huguenard Drive. (Jeff & Peggy Parr; Council District 10).

An Ordinance changing the zone from a Professional Office (P-1) zone to a Townhouse Residential (R-1T) zone, for 0.26 net and gross acre, for property located at 3500 and 3520 Arbor Dr. (a portion of each). (Botts & Cravens Homebuilders, LLC; Council District 8).

An Ordinance amending Section 5-76(1) of the Code of Ordinances related to electrical inspection fees to change the rates for rough wire inspection to \$55.00 for the first ten (10) circuits, rewire inspection to \$55.00, final inspection to \$55.00, temporary inspection to \$55.00, manufactured or mobile home services to \$55.00, apartments to \$35.00 per unit, apartments final inspection to \$35.00 per unit and \$1.10 for each small appliance circuit; amending Section 5-76(2) of the Code of Ordinances related to electrical inspection fees to change the rates of contracts of \$40,000.00 and above to 1% of the total cost for the first \$1,000,000.00 dollars and downward of $\frac{3}{4}$ of 1% for anything over \$1,000,000.00 dollars.

An Ordinance amending Section 6-49 of the Lexington-Fayette Urban County Code of Ordinances to revise the election procedure for retired members of the City Employees' Pension Fund Board of Trustees; to provide for special election procedures for retired members of the pension fund when one or more members fail to timely qualify for election during the regular election process or when a vacancy occurs; and to increase the number of Council members on the Board of Trustees from three to four.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$13,000 in the Div. of Community Corrections from the Council Projects Funds for mobile tablets for shift commanders and appropriating and re-appropriating funds, Schedule No. 64.

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

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

Nay: -----0

A Resolution accepting the bid of Echo 24, Inc., in the amount of \$63,142, for Wiring Project for Police Roll Call, for the Div. of Police.

A Resolution accepting the bid of Crane Tec, Inc., in the amount of \$60,938, for Town Branch WWTP Solids Processing Building Interior Bridge Cranes, for the Div. of Water Quality.

A Resolution accepting the bid of L-M Asphalt Partners d/b/a ATS Construction, in the amount of \$438,872.04, for the Man O War Blvd. Public Improvement Project - Alumni Drive Intersection, for the Div. of Engineering, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with ATS Construction, related to the bid.

A Resolution accepting the bid of Olympic Construction, LLC, in the amount of \$294,800, for the West Hickman Electrical Shop, for the Div. of Water Quality, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Olympic Construction, LLC, related to the bid.

A Resolution accepting the bid of New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility Corp., in accordance with the provisions of Ordinance No. 69-2016, creating and offering for sale a franchise for the operation of a non-exclusive telecommunications (or related non-cable) system in Fayette County, and authorizing the Mayor, on behalf of the Urban County Government, to execute a Franchise Agreement with New Cingular Wireless PCS, LLC, incorporating the terms and conditions of Ordinance No. 69-2016.

A Resolution ratifying the Probationary Classified Civil Service Appointments of: Steven Gilliam, Public Service Worker Sr., Grade 509N, \$13.958 hourly, effective May 22, 2017, Randall Wilson, Trades Worker Sr., Grade 511N, \$15.651 hourly, effective May 1, 2017, both in the Div. of Streets and Roads, Mark Mabson, Safety Specialist, Grade 518N, \$28.288 hourly in the Div. of Waste Management, effective May 15, 2017, Leonard Slaughter, Eligibility Counselor, Grade 513N, \$16.715 hourly in the Div. of Adult and Tenant Services, effective June 12, 2017; ratifying the Permanent Civil Service Appointments of: Johnny Stone, Public Service Worker Sr., Grade 509N, \$14.073 hourly in the Div. of Streets and Roads, effective April 3, 2017, Mathew Gdowski, Technical Specialist, Grade 515N, \$19.142 hourly, effective March 7, 2017, Davy Middleton, Public Service Worker Sr., Grade 509N, \$15.356 hourly, effective March 26, 2017, Adam Daugherty, Treatment Plant Operator, Grade 515N, \$20.578 hourly, effective April 24, 2017, all in the Div. of Water Quality, Darrell Boone, OSP Network Supervisor, Grade 521N, \$32.669 hourly in the Div. of Traffic Engineering, LaFleesha Patton, Staff Assistant, Grade 508N, \$14.625 hourly in the Div. of Police, and Justin Carey, Project Manager, Grade 517N, \$22.671 hourly in the Div. of Parks and Recreation, all effective March 19, 2017; ratifying the Permanent Sworn Appointments of: Donnell Gordon, Jesse Palmer and Stacy Shannon, all Police Sergeant, Grade 315N, \$30.538 hourly in the Div. of Police, effective March 19, 2017; ratifying the Council leave of: David Brazelton, Trades Worker Sr., Grade 511N, in the Div. of Streets and Roads, beginning May 4, 2017 through August 1, 2017; ratifying the Unclassified Civil Service Appointment of: Christopher Bond, Environmental Inspector, Grade 516N, \$19.350 hourly in the Div. of Water Quality, effective May 15, 2017; and ratifying the following Unclassified Civil Service pay increase in the Office of the Urban

County Council: Sally Lambert Warfield, Aide to Council, Grade 518E, from \$2,458.56 biweekly to \$2,560.00 biweekly, effective April 24, 2017.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the National Recreation and Park Association (NRPA) in partnership with the Walmart Foundation, which Grant funds are in the amount of \$15,000, are for the operation of a nutrition education program for youth, 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 Agreement with UK Opera Theatre, for the performance of Just About Teeth at the Family Care Center, at a cost not to exceed \$600.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase Agreement and all other documents necessary to grant substation and transmission line easements to Ky. Utilities Co. for the sum of \$10,478.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Agreement with the Lexington-Fayette County Health Dept., to accept additional Federal funds in the amount of \$58,060 for the continuance of the Home Network Project at the Family Care Center, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with Architectural Graphics, Inc., for replacement of a wayfinding sign on Harrodsburg Rd. at New Circle Rd., increasing the contract price by the sum of \$543 from \$60,899 to \$61,442.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Honkamp Krueger & Co., for professional services consisting of an Independent Validation of Internal Audit's Quality Self-Assessment, at a cost not to exceed \$8,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Prometheus Foundry, LLC, for fabrication and installation of two custom stainless steel sculptures in the Wellington Park Sensory Garden, at a cost not to exceed \$37,500.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with Columbia Gas of Ky., Inc., for the relocation of utilities for the Marquis Avenue Sanitary Sewer Replacement Project, increasing the contract price by the sum of \$12,524.03 from \$23,530.00 to \$36,054.03.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with National Exercise Trainers Association (NETA), for the provision of group exercise and senior fitness specialty certification classes at the Lexington Senior Center, 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. 1 to the Contract with Fuelband, LLC, for the Martin Luther King Park Restroom Building Project, increasing the contract price by the sum of \$26,488 from \$195,398 to \$221,886.

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 \$29,920.02 Commonwealth of Ky. funds, and are for the acquisition of hardware, software and licenses for Automatic Location Information and Database Management Servers (ALI-DBMS) for the Div. of Enhanced 911.

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 \$548,380 Commonwealth of Ky. funds, and are for the purchase of a Computer Aided Dispatch (CAD) system for the Div. of Enhanced 911.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement and Addendum with Sonitrol of Lexington, Inc., for Fire and Burglary Monitoring Services, at a cost not to exceed \$1,679.04.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with Bluegrass Area Development District (BGADD), for the operation of the Homecare Program for home-bound seniors, at a cost not to exceed \$48,610.

A Resolution authorizing Strothman and Co., Certified Public Accountants and Advisors, to conduct a financial audit of all Lexington-Fayette Urban County Government funds for Fiscal Year 2017 for an amount not to exceed \$151,500 (FY2018), and authorizing the Mayor, on behalf of the Urban County Government, to execute a Letter Agreement and any other necessary documents with Strothman and Co. related to the audit.

A Resolution authorizing the Mayor or the Commissioner of Finance, on behalf of the Urban County Government, to execute a letter Agreement with Strothman and Co., Certified Public Accountants and Auditors, for preparation of the Sheriff's Settlement for the 2016 property tax year, at a cost not to exceed \$7,900.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with ADS Environmental Services, a sole source provider, for sanitary sewer overflow monitoring and reporting services related to the existing monitoring system, at a cost not to exceed \$86,184.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Bluegrass Area Development District (BGADD), 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 \$109,153 Federal funds, and are for the operation of the Senior Center in FY 2018, the acceptance of which obligates the Urban County Government for the expenditure of \$211,887, 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 Release of Easements, releasing sanitary sewer, storm sewer, access, and utility easements on the properties located at 1433 and 1445 Newtown Center Way.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easement, releasing a portion of a storm sewer easement on the property located at 801 East New Circle Rd.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a multi-year Agreement with Oracle America, Inc., a sole source provider, for ongoing software maintenance and technical support services relating to the PeopleSoft Financials and Human Capital Management (HCM) modules, at a cost not to exceed \$113,642.05 in FY 2018, with future fiscal years subject to the appropriation of sufficient funds; and authorizing the Chief Information Officer, or her designee, on behalf of the Urban County Government, to execute any necessary documents for the continuation of maintenance and support services.

A Resolution amending Resolution No. 385-2016, increasing the purchase price for properties and easements located at 1322 and 1400 Bryan Ave. and 1027 and 1031 Oak Hill Dr., by the sum of \$7,326.70, from \$210,000.00 to \$217,326.70 for the Meadows/Northland/Arlington Public Improvements Project, phases 5E and 5F.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Agreement with the Ky. Transportation Cabinet, amending the scope of work to design and right-of-way activities only and including the designation of a person in responsible charge for the Town Branch Trail Crossing at Old Frankfort Pike and McConnell Springs Drive Project.

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Mr. F. Brown departed the meeting.

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Upon motion by Ms. Scutchfield, seconded by Ms. Henson, and approved by unanimous vote, a Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant application to the Ky. Justice and Public Safety Cabinet, to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$50,824

Federal Funds, and are for a bilingual victims advocate, for the Div. of Police was added to the docket and received first reading.

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

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

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

Nay: -----0
Mr. F. Brown was absent for the vote.

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A Resolution approving the Fiscal Year 2018 Budget of the Downtown Lexington Management District was on the docket for first reading.

At 6:57 p.m., Mayor Gray opened a public hearing on the resolution.

No one having appeared to speak, Mayor Gray closed the public hearing at 6:57 p.m.

The resolution received first reading and was ordered placed on file for public inspection until June 15, 2017.

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A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Civil Service Appointments: William Caudell, Stores Clerk, Grade 508N, \$13.924 hourly in the Div. of Streets and Roads, William Mitchell, \$19.217 hourly and Darryl Brisbay, \$23.036 hourly, both Skilled Trades Worker, Grade 515N, effective June 12, 2017 and Anthony West, Electrical Instrumentation Tech, Grade 516N, \$24.188 hourly, effective June 5, 2017, and Jason Oesterling, Skilled Trades Worker Sr., Grade 517N, \$22.688 hourly, effective upon passage of Council, all in the Div. of Facilities and Fleet Management; and authorizing the Div. of Human Resources to make a conditional offer to the following Unclassified Civil Service Appointments: David Cooper, \$12.511 hourly, Larry Walker, \$12.911 hourly, and Darrell Damons, \$13.165 hourly, all Public Service Worker, Grade 507N, in the Div. of Waste Management, effective upon passage of Council received first reading.

Upon motion by Ms. Henson, seconded by Vice Mayor Kay, and approved by majority vote (Mr. F. Brown was absent for the vote), the rules were suspended and the resolution received second reading.

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

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

Nay: -----0
Mr. F. Brown was absent for the vote.

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Griffith Ballard Tower's Resident Council, (\$250.00), for the Office of the Urban County Council, at a cost not to exceed the sum stated received first reading.

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

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

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

Nay: -----0
Mr. F. Brown was absent for the vote.

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A Resolution authorizing the Commissioner of Law to execute any necessary documents to settle litigation brought by 430 current and former Firefighters in the matter of Blankenship, et al., vs. Lexington-Fayette Urban County Government (Fayette Circuit Court Civil Action No. 05-CI-5024) related to claims for unpaid wages, at a cost not to exceed seventeen million seven hundred thirty-two thousand four hundred ten dollars and thirty-two cents (\$17,732,410.32), inclusive of appropriate tax and pension fund payments received first reading.

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

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

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

Nay: -----0
Mr. F. Brown was absent for the vote.

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$175,000 Federal funds, under the Victims of Crime Act (VOCA), and are for the development and implementation of the Community Green Dot Program received first reading.

Upon motion by Ms. Plomin, seconded by Vice Mayor Kay, and approved by majority vote (Mr. F. Brown was absent for the vote), the rules were suspended and the resolution received second reading.

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

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

Nay: -----0
Mr. F. Brown was absent for the vote.

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The following resolutions received first reading and were ordered placed on file for public inspection until June 15, 2017:

A Resolution accepting the bids of Advance Stores Co., Inc. d/b/a Carquest Auto Parts; Alton Blakley Ford, Lincoln, Mazda; Automotive Distributors Warehouse; Bluegrass International; Glenn Ford/Glenn Freedom Dodge; NAPA Auto Parts; Peterbilt

of Louisville, Inc.; and Worldwide Equipment, Inc., establishing price contracts for Automotive and Truck OEM, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Premiere Staffing Source, Inc. d/b/a Texas Premier Staffing Source, establishing a price contract for Temporary Labor for Various Divisions, for the Div. of Parks and Recreation.

A Resolution accepting the bid of G & J Pepsi-Cola Bottling Co., establishing a price contract for Beverage Products, for the Div. of Parks and Recreation.

A Resolution accepting the bids of Advance Stores Co., Inc. d/b/a Carquest Auto Parts; Glenn Ford-Glenn Freedom Dodge; Nandino Industrial Electric, Inc.; Fleet Pride, Inc.; KOI Auto Parts; NAPA Auto Parts; and Smyth Automotive, establishing price contracts for Automotive and Truck Parts - Light Duty, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Riley Oil Co., establishing a price contract for Commercial Fuel - Diesel, for the Div. of Facilities and Fleet Management.

A Resolution ratifying the Probationary Classified Civil Service Appointments of: Jason Thompson, Information Technology Manager, Grade 526E, \$2,762.08 biweekly, in the Div. of Computer Services, effective June 12, 2017, James Dietzel, ITS Engineer, Grade 523E, \$2,692.30 biweekly, in the Div. of Traffic Engineering, effective June 5, 2017, Robert Nichols, Electrical Instrumentation Tech Sr., Grade 518N, \$26.859 hourly in the Div. of Facilities and Fleet Management, and Norman Sinclair, Public Service Worker Sr., Grade 509N, \$15.748 hourly in the Div. of Parks and Recreation, both effective May 29, 2017; ratifying the Permanent Civil Service Appointments of: Belinda Pubrat, \$14.128 hourly and Amber Stevens, \$13.130 hourly, both Child Care Program Aide, Grade 508N, in the Div. of Family Services, effective May 7, 2017; ratifying the Permanent Sworn Appointments of: Ray Asbury, Daniel Bailey, Brandon Baker, Nathan Barks, Scott Burch, Travis Beatty, Jonathan Coyle, Michael Encinas, James Gilbert, Sean Graham, Nicholas Gray, Slade Halvaksz, Andrew Head, Jeffrey Heiner, Paul Hogan, Keaton Hub, Jesse Mascoe, Calvin Mattox, Cody McGowan, Keith McKinney, Robert McNeil, Justin Muravchick, Phillip Palmer, Haley Patterson, Christopher Qualls, Ashley Quick, Jedidiah Rash, Zakary Ridener, John Rieselman, Cody Shepherd, Ethan Smith, Elizabeth Thomas, Dustin Thompson, Christopher Toombs, Daniel True, Lucas

Valdez, Jacob Webster and Ryan Wells, all Police Officer, Grade 311N, \$19.567 hourly in the Div. of Police, effective April 24, 2017; ratifying the Unclassified Civil Service Appointment of: Laura Hatfield, Director, One Lexington, Grade 527E, \$3,309.52 biweekly in the Office of the Mayor, effective June 12, 2017; and ratifying the Classified Civil Service voluntary demotion of: Michael Gilbert, Telecommunicator Sr., Grade 517N, \$23.991 hourly in the Div. of Emergency Management/911, effective May 16, 2017.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from Central Bank & Trust Co. of \$25,000, for use at the Div. of Police for the purchase of Narcan, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to submit a reclassification request for property located at 3625 Leestown Rd. to the United States General Services Administration to change the property's approved use from emergency management response services to general public park use.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lockbox Processing Agreement with Republic Bank & Trust Co. for services related to the implementation of LEXserv In-House Billing, at a cost not to exceed \$18,000 in FY2017.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Windstream Communications, for a new and redundant internet connection to the Public Safety Operations Center (PSOC) for the Lexington Public Safety Network, at a cost not to exceed \$14,885.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky. Agricultural Development Board, to extend the period of performance for the Local Food Coordinator Project through December 31, 2017, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to Dalton Court, LLC, for stormwater quality projects, at a cost not to exceed \$132,000.

A Resolution amending Resolution No. 383-2016, which authorized the purchase and installation of dark fiber-optic cable from the Commonwealth of Ky. Finance and Administration Cabinet and the Ky. Communications Network Authority; authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amended Memorandum of Understanding for the purchase and installation of additional dark fiber-optic cable for the Urban County Government, at a cost not to exceed \$270,000, with annual maintenance costs and connectivity charges subject to sufficient appropriation of funds in future fiscal years; and authorizing the Urban County Government to Grant a license to use vacant government-owned conduit in exchange for a credit in the amount of \$70,320.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Pace Contracting, LLC, for the Jacobson Park and Masterson Station Park Sprayground Projects, increasing the contract price by the sum of \$86,615.79 from \$1,107,500.00 to \$1,194,115.79.

A Resolution approving and authorizing an Assistance Agreement between the Lexington-Fayette Urban County Government and the Ky. Infrastructure Authority to provide \$2,355,600 of loan funds for the Lower Griffin Gate Trunk Project.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Renewal Agreement with 911 Datamaster, a sole source provider, for provision of the 911 location records database for the Central Ky. 911 Network members, at a cost not to exceed \$46,732.

A Resolution amending Resolution No. 204-2017, pertaining to the bid of Special Electronics, Inc., to change the requesting division to the Div. of Police.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Addendum to the current lease with Gray Television, LLC, for the communication building and tower space, at a cost not to exceed \$8,329.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a letter of intent to Safe Communities America for Safe Communities America accreditation.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to the

Lexington and Fayette County Parking Authority, for stormwater quality projects, at a cost not to exceed \$240,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Education) Incentive Grant to the Living Arts and Science Center, Inc., for stormwater quality projects, at a cost not to exceed \$34,920.

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 \$480,000 Federal funds, are for the ITS/CMS (Intelligent Transportation System/Congestion Management System) Traffic Improvements Project for FY 2018, the acceptance of which obligates the Urban County Government for the expenditure of \$120,000 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Dept. of Corrections, which Grant funds are in the amount of \$65,700 Commonwealth of Ky. funds, are for the operation of a Substance Abuse Recovery Program at the Fayette County Detention Center, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Host Site Agreement with the Professional Golfers' Association of America, agreeing to host the 2018 Girls Junior PGA Championship at Kearney Hill Golf Course in consideration of anticipated revenue of up to \$44,690.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Mission Lexington (\$1,000), Robinwood Neighbors Association, Inc. (\$500), and Lexington NAACP Branch (\$100), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a letter of engagement to retain the professional services of Dean Dorton Allen Ford, PLLC (awarded pursuant to RFP No. 5-2017), to conduct an audit of utility

franchise fee revenues received from Ky. Utilities Co., Columbia Gas of Ky., Inc., and Bluegrass Energy Cooperative Corporation, at a cost not to exceed \$45,000, to be reimbursed by the utility companies pursuant to the terms of their respective Franchise Agreements.

A Resolution approving the FY 2018 Budget of the Transit Authority of the Lexington-Fayette Urban County Government (Lextran) pursuant to KRS 96A.360 and requesting that the Commissioner of Finance authorize the Fayette County Sheriff's Office to disburse the funds to Lextran collected from the ad valorem tax approved by voters on November 9, 2004.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with YMCA of Central Ky., for the provision of the Power Scholars Academy Summer Program, at a cost not to exceed \$10,000.

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Upon motion by Ms. Scutchfield, and seconded by Ms. Henson, the Communications from the Mayor were approved by majority vote (Mr. F. Brown was absent for the vote) and were as follows: (1) Recommending the appointment of Mr. Philip Suiter to the Affordable Housing Governing Board, filling an unexpired term, with term expiring Oct. 23, 2018; (2) Recommending the appointments of Ms. Melissa Snow-Groves, as District 5 Additional Member, and Ms. Beth Workman, as District 2 Member, to the Environmental Commission, with terms expiring May 25, 2021; and (3) Recommending the reappointment of Mr. Wayne Masterman, as Fayette County Resident Representative, to the Parking Authority Board/Public Parking Corporation Board, with term expiring June 1, 2021.

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The following Communications from the Mayor were received for information only: (1) Classified Civil Service Reinstatement of Bethel Robinson, Telecommunicator Sr. Grade 517N, \$21.786 hourly in the Div. of Emergency Management/911, effective June 5, 2017; (2) Classified Civil Service Lateral Position Change of Allen Baldwin, Municipal Engineer, Sr., Grade 525E, \$3,122.80 biweekly in the Div. of Water Quality, effective May 25, 2017; (3) Classified Civil Service Temporary Appointment of Dominique Rawlings, Administrative Officer, Grade 523E, \$2,178.16 biweekly in the Div.

of Facilities and Fleet Management, effective May 22, 2017; and (4) Classified Civil Service Temporary Appointment of Michael Johnson, Deputy Director Enterprise, Grade 528E, \$2,862.96 biweekly in the Div. of Parks and Recreation, effective May 15, 2017.

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Mr. Farmer talked about a recent house fire in Lexington and the importance of having working smoke alarms in every household.

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Ms. Bledsoe talked about the Tahlound Music Festival on Southland Drive on Saturday, May 27, 2017, with activities starting at noon.

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Ms. Mossotti spoke about the national attention garnered by Spectrum Cable's recent rate increases in Lexington.

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Mr. Bernard McCarthy, Harry Street, talked about exaction fees in the expansion area and how the fee may be expanded.

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Dr. Karl Lange, Chairman of the Board of Directors of Mission Lexington, spoke about the services provided by Mission Lexington, about funding his program and how funding is chosen for agencies.

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Upon motion by Mr. Stinnett, seconded by Ms. Scutchfield, and approved by majority vote (Mr. F. Brown was absent for the vote), the meeting adjourned at 7:18 p.m.

Clerk of the Urban County Council