

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky October 12, 2017

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on October 12, 2017 at 6:00 p.m. Present were Vice-Mayor Kay in the chair presiding, in the absence of Mayor Gray, and the following members of the council: Gibbs, Henson, Lamb, Moloney, Mossotti, Scutchfield, Smith, Stinnett, Bledsoe, F. Brown, J. Brown, Evans, and Farmer. Absent was Council Member Plomin.

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

Ordinances No. 139-2017 through 141-2017, inclusive, and Resolutions No. 572-2017 through 601-2017, inclusive, were reported as having been signed and published and ordered to record.

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky October 12, 2017

The Invocation was given by the Reverend Marsha Jean Moors-Charles of Bluegrass United Church of Christ.

*

*

*

Upon motion by Ms. Mossotti, seconded by Ms. Henson, and approved by unanimous vote, the Minutes of the August 17, 2017 Council Meeting were approved.

*

*

*

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

Mr. Moloney moved to postpone the resolution until November 9, 2017 to allow sufficient time to examine costs, and the motion was seconded by Ms. Henson.

Mr. Farmer asked for clarification on the purpose of the motion and Mr. Moloney responded.

Mr. Gibbs moved to amend Mr. Moloney's motion to remove the mention of costs. Ms. Mossotti seconded the motion.

Mr. Stinnett assumed the Chair.

Vice Mayor Kay spoke about the proposed resolution.

Vice Mayor Kay resumed the Chair.

Ms. Henson asked about how the resolution may affect the Jefferson Street Bridge. Mr. Jamie Emmons, Office of the Mayor, and Mr. Doug Burton, Div. of Engineering, responded.

Mr. Moloney asked for clarification of Vice Mayor Kay's position on the motion to amend the original motion. Vice Mayor Kay responded.

Council discussed the motion.

Mr. Farmer called the question of the motion to amend. The request to call the question passed by majority vote (Mr. Moloney voted No).

The motion to amend passed by majority vote (Mr. Moloney voted No).

Mr. F. Brown talked about the verbiage of the resolution and its effect on costs that may be incurred in the future.

Mr. Stinnett expressed his support for the motion to postpone.

Mr. Stinnett assumed the Chair.

Vice Mayor Kay talked about the effect of the resolution and the process of considering the resolution.

Vice Mayor Kay resumed the Chair.

The motion to postpone the resolution until November 9, 2017 passed by majority vote (Mr. F. Brown voted No).

*

*

*

Vice Mayor Kay asked Ms. Lamb to approach the podium, along with members of the group Compassionate Lexington. Ms. Lamb spoke about the purpose of the group and introduced Rev. Marsha Moors-Charles and Ms. Rosie Moosnick, who talked about the Charter for Compassion. They displayed a video that described the goals and activities of the organization. Ms. Moors-Charles talked further about the organization.

A Resolution of the Urban County Council, affirming and adopting the Charter for Compassion for Lexington-Fayette County and designating Lexington-Fayette County as a Compassionate City was on the docket for first reading.

Ms. Lamb moved to suspend the rules and allow public comment on this resolution to occur out of order. The motion was seconded by Mr. Gibbs and approved by unanimous vote.

The following persons spoke in favor of the resolution: (1) Rev. Dr. Albert Pennybacker, E. Main Street; (2) Rev. Dr. Joan Brown Campbell Pennybacker; and (3) Rev. Kory Wilcoxson, Hunters Rest Ct.

*

*

*

Vice Mayor Kay invited to the podium Chief Kristin Chilton, Div. of Fire and Emergency Services, and Ms. Katie Bowden, Meadowthorpe Elementary, to recognize

Ms. Bowden as Junior Fire Chief in Lexington for 2017. Vice Mayor Kay read a Proclamation declaring October 12, 2017 Junior Fire Chief Katie Bowden Day.

Chief Chilton talked about meeting Ms. Bowden and her family, and the fine quality of Ms. Bowden's essay on fire safety.

*

*

*

An Ordinance changing the zone from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone, for 11.37 net (11.76 gross) acres, and from a Townhouse Residential (R-1T) zone to a Planned Neighborhood Residential (R-3) zone, for 0.13 net (0.25 gross) acre, for properties located at 2311 Armstrong Mill Rd. and 3539 Kenesaw Dr. (Atchison Heller Construction; Council District 8) received second reading. Upon motion by Ms. Henson, and seconded by Ms. Scutchfield, the ordinance was approved by the following vote:

Aye:	Gibbs, Henson, Kay, Lamb, Mossotti, Scutchfield, Smith, Stinnett, F. Brown, J. Brown, Farmer	-----11
------	--	---------

Nay:		-----0
------	--	--------

Recuse:	Evans	-----1
---------	-------	--------

Moloney and Bledsoe were absent for the vote.

*

*

*

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

Aye:	Gibbs, Henson, Kay, Lamb, Mossotti, Scutchfield, Smith, Stinnett, F. Brown, J. Brown, Evans, Farmer	-----12
------	---	---------

Nay:		-----0
------	--	--------

Moloney and Bledsoe were absent for the vote.

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

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

An Ordinance amending Chapter 17C of the Code of Ordinances of the Lexington-Fayette Urban County Government to reflect a revised right-of-way permit renewal fee structure for utilities and their contractors, and to impose additional fees for the commencement of non-emergency work within the public rights-of-way without the proper permit(s) by amending Subsection 17C-7(b)(4) to provide that the failure to complete all restoration work due under a surface cut permit in a timely manner will result in additional fee(s) payable to the government at the time of permit renewal, amending Subsection 17C-9(a) to provide that any person who installs, operates, constructs, or maintains facilities within the public rights-of-way without first registering such facilities or obtaining the necessary permits, certificates, letters, or other documentation will be subject to an additional fee payable to the government, and amending Subsections 17C-22(c) and (d) to conform with these changes.

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

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

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

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

An Ordinance amending Sections 2-87 and 2-89 of the Code of Ordinances of the Lexington-Fayette Urban County Government to decrease the number of members on the Masterson Station Park Advisory Board from twenty-one to eighteen, to adjust the number of members required for quorum and official action, and to update the organizations and groups represented thereon.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 7.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$1,000 for the Div. of Family Services from Neighborhood Development Funds for Historic Preservation Project at the Family Care Center, Schedule No. 9.

*

*

*

Upon motion by Ms. Evans, seconded by Mr. Stinnett, and approved by majority vote (Ms. Bledsoe and Mr. Moloney were absent for the vote) the rules were suspended to allow for public comment out of order.

Ms. Diane Minnifield, Chaffy Ln. talked about a proposed “street swap” that may impact parking at the Main Street Baptist Church.

Mr. David Stokes, Everbrook Cir., talked about parking issues affecting the Main Street Baptist Church.

*

*

*

An Ordinance approving and authorizing the Lexington Downtown Development Authority to enter into a Reorganization Agreement and partnership with the Downtown Lexington Corporation to be known as the Downtown Lexington Partnership; repealing and replacing in its entirety Section 2-430 of the Code of Ordinances of the Lexington-Fayette Urban County Government, pertaining to the Board of the Lexington Downtown Development Authority and replacing the current board with five members consisting of the Mayor or his designee with the other members appointed by the Mayor subject to confirmation by the Urban County Council, and the appointed members serving four year terms except the original board, which shall be staggered; and amending Section 2-431 of the Code to authorize but not require an executive director

and to allow for the contracting of services, all effective upon date of passage received first reading.

Upon motion by Mr. Stinnett, seconded by Ms. Mossotti, and approved by majority vote (Ms. Bledsoe and Mr. Moloney were absent for the vote), the rules were suspended and the ordinance received second reading.

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

Aye: Gibbs, Henson, Kay, Lamb, Mossotti, -----12
Scutchfield, Smith, Stinnett, F. Brown,
J. Brown, Evans, Farmer

Nay: -----0

Moloney and Bledsoe were absent for the vote.

*

*

*

The following ordinances received first reading and were ordered placed on file for public inspection until October 26, 2017:

An Ordinance amending Section 4-12.4(g) of the Lexington-Fayette Urban County Code of Ordinances, related to the regulation of kennels, to decrease the number of convictions necessary to suspend or revoke a kennel license; providing that a kennel license may be revoked for violation of state or local law criminalizing the mistreatment of animals; and increasing the time a person whose kennel license has been revoked must wait before applying for a new license from one year to five years.

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.8.

An Ordinance enacting Article XLVIII of Chapter Two of the Code of Ordinances of the Lexington-Fayette Urban County Government, authorizing the creation of a commission to be called the "Commission on Veterans' Affairs," for the purpose of providing a support system and resources to veterans and their families and improving veteran community relations in Lexington-Fayette County and other appropriate purposes.

*

*

*

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

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

Nay: -----0

Bledsoe was absent for the vote.

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

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

A Resolution ratifying the Probationary Classified Civil Service Appointments of: Donnie Salmons, \$26.025 hourly, Alex Carpenter, \$21.729 hourly, both Telecommunicator Sr., Grade 517N in the Div. of Emergency Management/911, Jada Griggs, Industrial Hygiene/Loss Control, Grade 520E, \$2,238.48 biweekly in the Div. of Risk Management, Eric Reid, Administrative Specialist Sr., Grade 516N, \$19.350 hourly in the Div. of Youth Services and Kenzie Gleason, Administrative Officer, Grade 523E, \$2,606.56 biweekly in the Div. of Planning, all effective October 16, 2017; ratifying the Permanent Civil Service Appointments of: Michael Thomas, Project Manager, Grade 517N, \$24.752 hourly, Omer Cowherd, Public Service Supervisor, Grade 514N, \$20.176 hourly, both in the Div. of Streets and Roads, effective September 6, 2017, John Cornett Jr., Enforcement Officer, Grade 513N, \$18.456 hourly in the Div. of Waste Management, effective October 3, 2017, Serenity Wright, Accreditation Manager, Grade 521E, \$2,314.64 biweekly in the Div. of Police, effective September 20, 2017 and Wendy Jett, Recreation Supervisor, Grade 514E, \$1,720.00 biweekly in the Div. of Aging and Disability Services, effective September 6, 2017; and ratifying the approved Council leave of: Richard Thomas, Public Service Worker, Grade 507N, in the Div. of Waste Management, beginning October 3, 2017 through December 31, 2017.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the AARP Community Foundation, which Grant

funds are in the amount of \$10,000, are for the purchase and installation of benches and construction of raised gardens at the Senior Citizens Center, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Emergency Management Agency, which Grant funds are in the amount of \$70,208 Federal funds, \$11,233 Commonwealth of Ky. funds, under the Hazard Mitigation Grant Program, are for the construction of a tornado safe room at the Thompson Rd. Recycling Center, the acceptance of which obligates the Urban County Government for the expenditure of \$12,169 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Master Equipment and Products Agreement with Siemens Healthcare Diagnostics, Inc., for the provision of drug testing equipment and reagents for the Div. of Community Corrections at a total cost not to exceed \$223,600.11, with a cost savings of \$3,693.76 from the original Agreement of \$227,293.87.

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

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

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

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

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

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

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

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

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

A Resolution specifying the intention of the Urban County Council to expand and extend the full Urban Services District #1 to provide street lighting, street cleaning, and garbage and refuse collection; finding a need for this service in the area included; and finding the ability of the Urban County Government to provide this service in this area, which area is defined as certain properties on the following streets: Athens Boonesboro Rd., Brookridge Dr., Chilesburg Rd., Covington Dr., Covington Pt., Ellen Ct., Ellerslie

Park Blvd., Green Valley Dr., Grimbball Trace, Haddrell Cove, Haddrell Pt., Harrison, Kelli Rose Way, Kings Glen Park, Larue, Lawton Flat, Leestown Rd., Lucille Dr., Man O War Blvd., Nicholasville Rd., Old Harrodsburg Rd., Our Tibbs Trail, Pascoli Cove, Pascoli Place, Patchen Wilkes Dr., Polo Club Blvd., Prichard Dr., Real Quiet Ln., Silver Charm Ln., Silverbell Trace, Somersly Cove, Sprull Walk, Spurr Rd., Summit at Fritz Farm, Sunny Slope Trace, Sweetspire Dr., Vendue Row, and Winning Colors Ln.

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

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

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

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Contract with the Fayette County Board of Education for space to host the Extended School Program and the Recreational Enrichment and Learning Program for the 2017-2018 school year, at a cost not to exceed \$98,000.

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

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

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

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

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

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

*

*

*

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Shetlands Homeowners Association, Inc. (\$350), Hill N Dale Neighborhood Association (\$500), Firebrook Estates Homeowners Association, Inc., (\$200), Douglass Soccer, Inc. (\$425), Feast on Equality, Inc. (\$690), Lady Veterans Connect, Inc. (\$650), LexArts (\$450), and Blue Grass Council of Boy Scouts of America, Inc. (\$1,000), for the Office of the Urban County Council, at a cost not to exceed the sums stated received first reading.

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

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

Aye: Gibbs, Henson, Kay, Lamb, Mossotti, -----11
Scutchfield, Smith, Stinnett, J. Brown,
Evans, Farmer

Nay: -----0

Bledsoe, F. Brown and Moloney were absent for the vote.

* * *

A Resolution of the Urban County Council, affirming and adopting the Charter for Compassion for Lexington-Fayette County and designating Lexington-Fayette County as a Compassionate City received first reading.

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

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

Aye: Gibbs, Henson, Kay, Lamb, Mossotti, -----11
Scutchfield, Smith, Stinnett, J. Brown,
Evans, Farmer

Nay: -----0

Bledsoe, F. Brown and Moloney were absent for the vote.

* * *

A Resolution directing Charter Communications Inc. ("Charter") doing business as "Spectrum" to comply with certain provisions of Ordinance No. 152-2014 within thirty (30) days of the passage of this Resolution and directing the Commissioner of Law to send to Charter a copy of this Resolution, which shall serve as a written demand to Charter that it shall comply with certain provisions of Ordinance 152-2014 received first reading.

Upon motion by Mr. Stinnett, seconded by Ms. Henson, and approved by majority vote (Ms. Bledsoe was not present for the vote), the rules were suspended and the resolution received second reading.

Mr. Stinnett assumed the Chair.

Vice Mayor Kay made a statement regarding the resolution and how it came to be.

Vice Mayor Kay resumed the Chair.

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

Aye: Gibbs, Henson, Kay, Lamb, Mossotti, -----11
Scutchfield, Smith, Stinnett, J. Brown,
Evans, Farmer

Nay: -----0

Bledsoe, F. Brown and Moloney were absent for the vote.

*

*

*

A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Classified Civil Service Appointments: Ronald Hinton, \$14.222 hourly, effective November 6, 2017 and Robert Warren, \$14.073 hourly, and Victor Mundy, \$14.543 hourly, all Public Service Worker Sr., Grade 509N, in the Div. of Streets and Roads, both effective October 23, 2017, and Christopher Skimmerhorn, Public Service Worker Sr., Grade 509N, \$14.027 hourly in the Div. of Water Quality, effective October 23, 2017, Joseph Meadows, Heavy Equipment Technician, Grade 516N, \$19.855 hourly in the Div. of Facilities and Fleet Management, effective November 6, 2017 and Parker Sherwood, Planner, Grade 517N, \$20.555 hourly in the Div. of Planning, effective November 13, 2017; authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Community Corrections Officer Appointments: Jon Bryant, Logan Martin, Jackson Price, Jason Rollins, Michael Tincher, Paul Walicke, Keagan Anderson, Frank Adams, Jenni Earle, Maria Edwards, Tiesha Miller, Gary Plowman, Dwayne Wyman, Chris Field, Priscilla Foster, Matthew Howard, Josh Kempton, Brittany Walker, Wesley Williams, Cheryl Birch, Joseph Brock, Patrick Logan, and William Niederbrach, all Community Corrections Officer Recruit, Grade 109N, \$15.384 hourly in the Div. of Community Corrections, effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Sworn

Appointments: Michael Howell, Jeffrey Westerman, Carl Nickell, Matthew Haney, Jason White, Douglas Winkler, Kenneth Lay, Phillip Powell, Jonathan Hurley, Michael Riley, Keenan Wiley, Jeffrey King, Davis Stakelin, Cory O'Keefe, Erin Lucas, Christopher Andrews, Douglas Byers, Chelsie Brown, Michael Camacho, Adrean Robinson, Nathan Hargis, Jay Conrad, Tyler Ramey, Michelle Spanyer, Cassidy Fox, Robert Nickell, Travis Burchfield, Mike Heitzman, Alexander Bailey, Stephen Lebieczinski, Adam Fawbush, Shawn Long, Michael Cox, Charlz Walker, Justin Tyree, Dustin Genoe, Jesse Tudor, Marc Wicher, Alexander Simon, Justin Cole, Raymond Alexander, Aaron King, Maegan Rogers, and Cory Littlejohn, all Firefighter Recruit, Grade 310N, \$15.024 hourly in the Div. of Fire and Emergency Services, effective upon passage of Council; and authorizing the Div. of Human Resources to make a conditional offer to the following Unclassified Civil Service Appointments: Benjamin Clements, Project Engineering Coordinator, Grade 525E, \$2,427.52 biweekly in the Div. of Water Quality, effective October 23, 2017 and Angela Wallace, SANE Program Manager, Grade 525E, \$3,153.85 biweekly in the Div. of Police, effective upon passage of Council received first reading.

Ms. Henson moved to suspend the rules and give second reading to the resolution. The motion was seconded by Ms. Mossotti. The motion failed by the following vote:

Aye: Kay, Henson, -----2

Nay: Gibbs, Lamb, Moloney, Mossotti, Scutchfield, -----8
Smith, Stinnett, Farmer

Bledsoe, F. Brown, J. Brown, and Evans were absent for the vote.

The resolution was ordered placed on file for public inspection until October 26, 2017.

*

*

*

The following resolutions received first reading and were ordered placed on file for public inspection until October 26, 2017:

A Resolution accepting the bid of Bradley Hook It Up Mobile, LLC, establishing a price contract for Vehicle Pressure Washing Steam Cleaning, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Advanced Mulching Technologies, Inc. d/b/a EcoGro, in the amount of \$181,331.75, for the Picadome Golf Course Stormwater Wetlands Project, for the Div. of Water Quality, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with EcoGro related to the bid.

A Resolution accepting the bid of Green Wave Computer Recycling, LLC, establishing a price contract for Electronic Waste and Other Items Recycling, for the Div. of Waste Management.

A Resolution accepting the bid of Brownfields Development, LLC, establishing a price contract for Mowing for Haley Pike (Reissued), for the Div. of Waste Management.

A Resolution accepting the bid of Foster Supply, Inc., establishing a price contract for Tactile Warning Tile, for the Div. of Streets and Roads.

A Resolution ratifying the Probationary Classified Civil Service Appointments of: William Hammond, \$19.350 hourly, Diane Lewis, \$21.242 hourly, both Administrative Specialist Sr., Grade 516N, Keela Jackson, Revenue Compliance Auditor, Grade 518N, \$26.303 hourly, all in the Div. of Revenue, effective October 16, 2017, Stephen Parrott, Commercial Building Inspector, Grade 518N, \$22.942 hourly in the Div. of Building Inspection and Traci Wade, Planning Manager, Grade 526E, \$3,025.82 biweekly in the Div. of Planning, both effective October 30, 2017; ratifying the Permanent Civil Service Appointments of: Mitchell Jones, Budget Analyst, Grade 519N, \$23.277 hourly in the Div. of Budgeting, effective October 3, 2017, Steven Beatty, \$17.049 hourly, and Rodney Guy, \$19.047 hourly, both effective October 17, 2017, LaTonya McClain, \$18.015 hourly, and Clifton Stone, \$19.038 hourly, both effective October 24, 2017, all Resource Recovery Operator, Grade 513N, in the Div. of Waste Management, Jessica Bailey, Staff Assistant Sr., Grade 510N, \$15.226 hourly in the Div. of Police, effective October 27, 2017, Jonathan Johnson, Telecommunicator Sr., Grade 517N, \$21.191 hourly in the Div. of Emergency Management/911, effective September 20, 2017, Christopher Litton, Administrative Officer, Grade 523E, \$2,903.04 biweekly in the Dept. of General Services, effective September 27, 2017 and Matthew Burton, Heavy Equipment Technician, Grade 516N, \$20.233 hourly in the Div. of Facilities and Fleet Management, effective October 24 2017.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Energy and Environment Cabinet, and to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$152,750 Commonwealth of Ky. funds, and are for the continuation of the Litter Abatement Grant Funding Program for FY 2018, 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 an Engineering Services Agreement with CDP Engineers, Inc., for the design of the South Elkhorn Trail Project, at a cost not to exceed \$50,110.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Agreement with Bluegrass Area Development District, to include the FY 2018 Budget and the eligible reimbursable expenses for operation of the Lexington Senior Center.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Bicycle and Bikeway Commission's Paula Nye Memorial Bicyclist and Pedestrian Education Program and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$15,000 Commonwealth of Ky. funds, and are for the operation of two (2) public education programs for pedestrian safety.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Consumer Product Safety Commission, which Grant funds are in the amount of \$2,500, are for the provision of a fire safety and prevention campaign, 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 Memorandum of Agreement with the Lexington Youth Lacrosse

Association concerning the use and maintenance of multi-purpose fields at Shillito Park, at no cost to the Urban County Government.

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 Town Branch Trail-Phase 4, at a cost not to exceed \$75,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit an application to the UNESCO Creative Cities Network and to provide any additional information requested in connection with this application, to obtain the designation of UNESCO Creative City of Literature for Lexington, Ky., 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 the HOME Agreement with Fayette County Local Development Corporation, Inc., updating the language in Article I and correcting the affordability period from ten (10) years to fifteen (15) years.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Telcordia Technologies, Inc. d/b/a iconectiv, a sole source provider, for access to the Number Portability Administration Center, for the Div. of Enhanced 911, at a cost not to exceed \$6,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a modification to the Agreement with the Ky. Dept. of Military Affairs, Div. of Emergency Management, for extension of the performance period through September 30, 2018 for the Chemical Stockpile Emergency Preparedness Program (CSEPP) for FY 2016, at no additional cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. 911 Services Board (previously known as the Ky. Commercial Mobile Radio Services (CMRS) Board), which Grant funds are in the amount of \$400,000 Commonwealth of Ky. funds, are for the purchase of a new Computer Aided Dispatch (CAD) system, for the Div. of Enhanced 911, 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 Cumberland Pipeline, LLC, for the Paradise Lane Pump Station and Force Main Project, increasing the contract price by the sum of \$6,469.00 from \$552,780.16 to \$559,249.16, and extending the date of completion by seventy-one (71) calendar days, to October 27, 2017.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with OMNI Commercial LLC, for the Cadentown School House Sidewalk Project, increasing the contract price by the sum of \$2,900 from \$25,900 to \$28,800.

A Resolution approving the granting of an inducement to Innovative Mattress Solutions, LLC, pursuant to the Ky. Business Investment Act (KRS Subchapter 154.32), whereby the Lexington-Fayette Urban County Government agrees to rebate one percent (1%) of the Occupational License Fee related to the project for a term of not longer than ten (10) years from the activation date, subject to proper documentation being provided the limitations contained in the Act, and any agreement Innovative Mattress Solutions, LLC, has with the Ky. Economic Development Finance Authority or the Urban County Government related to the project, and taking other related action.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to Ky. American Water, 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 \$500, under the Fire Fighting Support Grant, and are for the purchase of personal protective equipment for the Div. of Fire and Emergency Services, 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.

*

*

*

Upon motion by Ms. Scutchfield, and seconded by Ms. Henson, the Communications from the Mayor were approved by majority vote (Ms. Bledsoe, Mr. F. Brown and Mr. Moloney were absent for the vote, and Ms. Lamb recused herself on item 3) and were as follows: (1) Recommending the appointment of Mr. Jason Jones, as

Rehabilitation Representative, to the Commission for People with Disabilities with term to expire Aug. 26, 2019; (2) Recommending the reappointment of Ms. Lane Boldman, as At-Large Fayette County Neighborhood Council Representative, Council Member Jennifer Scutchfield, as 7th District Councilmember Representative, and Mr. Scott Thompson, as Alternative Modes of Transportation Representative, to the Corridors Commission with terms expiring Aug. 1, 2021; (3) Recommending the reappointment of Ms. Diana Queen, as At-Large Representative, to the Mayor's International Affairs Advisory Commission with term expiring Aug. 27, 2021; and (4) Recommending the appointment of Ms. Cathy Perkins, as Fayette County Resident Representative, to the Paris Pike Corridor Commission, with term expiring Oct. 12, 2021.

*

*

*

The following Communications from the Mayor were received for information only: (1) Resignation of Jeffrey R. Lewis, Public Service Worker Sr., Grade 509N, Div. of Streets and Roads, effective Sept. 20, 2017; (2) Resignation of Frank White, Heavy Equipment Technician, Grade 516N, Div. of Facilities and Fleet Management, effective Sept. 3, 2017; (3) Resignation of Jeremy G. Knight, Environmental Inspector, Grade 516N, Div. of Water Quality, effective Sept. 15, 2017; (4) Resignation of Jonathon Wilson, Police Officer, Grade 311N, Div. of Police, effective Sept. 7, 2017; (5) Resignation of Jeffery Marshall, Security Officer, Grade 507N, Dept. of Public Safety, effective Sept. 1, 2017; (6) Resignation of Angela M. Martin, Laboratory Technician, Grade 513N, Div. of Water Quality, effective Sept. 8, 2017; (7) Resignation of Spencer Garten, Firefighter, Grade 311N, Div. of Fire and Emergency Services, effective Sept. 4, 2017; (8) Resignation of Brandon Ritchie, Police Officer, Grade 311N, Div. of Police, effective Sept. 20, 2017; (9) Resignation of Robert Stefan Lewis, Equipment Operator, Grade 510N, Div. of Youth Services, effective Sept. 24, 2017; (10) Resignation of Sarah Price, Staff Assistant Sr., Grade 510N, Div. of Family Services, effective Sept. 8, 2017; (11) Resignation of Jonathan Velchek, Firefighter, Grade 311N, Div. of Fire and Emergency Services, effective Sept. 4, 2017; (12) Resignation of Christopher Bronczyk, Planner, Grade 517N, Div. of Planning, effective Sept. 22, 2017; (13) Resignation of Christian Boutte, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective Sept. 9, 2017; (14) Resignation of Matt Columbia,

Police Officer-Trainee, Grade 311N, Div. of Police, effective Sept. 5, 2017; (15) Resignation of Troy Michael Woodyard, Municipal Engineer Sr., Grade 525E, Div. of Engineering, effective Sept. 23, 2017; (16) Resignation of Jonathon Ledford, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective Sept. 7, 2017; (17) Classified Civil Service Reinstatement of Marcus Molands, Maintenance Mechanic, Grade 515N, \$18.797 hourly in the Division of Water Quality, effective October 16, 2017; and (18) Termination of Larry Leon Mays, Public Service Worker Sr., Grade 509N, Div. of Water Quality, effective Sept. 18, 2017.

*

*

*

Mr. Bernard McCarthy, Harry Street, talked about traffic and parking in Lexington, and the Jefferson Street Bridge. Mr. McCarthy also discussed the coal industry.

*

*

*

A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Classified Civil Service Appointments: Ronald Hinton, \$14.222 hourly, effective November 6, 2017 and Robert Warren, \$14.073 hourly, and Victor Mundy, \$14.543 hourly, all Public Service Worker Sr., Grade 509N, in the Div. of Streets and Roads, both effective October 23, 2017, and Christopher Skimmerhorn, Public Service Worker Sr., Grade 509N, \$14.027 hourly in the Div. of Water Quality, effective October 23, 2017, Joseph Meadows, Heavy Equipment Technician, Grade 516N, \$19.855 hourly in the Div. of Facilities and Fleet Management, effective November 6, 2017 and Parker Sherwood, Planner, Grade 517N, \$20.555 hourly in the Div. of Planning, effective November 13, 2017; authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Community Corrections Officer Appointments: Jon Bryant, Logan Martin, Jackson Price, Jason Rollins, Michael Tincher, Paul Walicke, Keagan Anderson, Frank Adams, Jenni Earle, Maria Edwards, Tiesha Miller, Gary Plowman, Dwayne Wyman, Chris Field, Priscilla Foster, Matthew Howard, Josh Kempton, Brittany Walker, Wesley Williams, Cheryl Birch, Joseph Brock, Patrick Logan, and William Niederbrach, all Community Corrections Officer Recruit, Grade 109N, \$15.384 hourly in the Div. of Community Corrections, effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Sworn

Appointments: Michael Howell, Jeffrey Westerman, Carl Nickell, Matthew Haney, Jason White, Douglas Winkler, Kenneth Lay, Phillip Powell, Jonathan Hurley, Michael Riley, Keenan Wiley, Jeffrey King, Davis Stakelin, Cory O'Keefe, Erin Lucas, Christopher Andrews, Douglas Byers, Chelsie Brown, Michael Camacho, Adrean Robinson, Nathan Hargis, Jay Conrad, Tyler Ramey, Michelle Spanyer, Cassidy Fox, Robert Nickell, Travis Burchfield, Mike Heitzman, Alexander Bailey, Stephen Lebieczinski, Adam Fawbush, Shawn Long, Michael Cox, Charlz Walker, Justin Tyree, Dustin Genoe, Jesse Tudor, Marc Wicher, Alexander Simon, Justin Cole, Raymond Alexander, Aaron King, Maegan Rogers, and Cory Littlejohn, all Firefighter Recruit, Grade 310N, \$15.024 hourly in the Div. of Fire and Emergency Services, effective upon passage of Council; and authorizing the Div. of Human Resources to make a conditional offer to the following Unclassified Civil Service Appointments: Benjamin Clements, Project Engineering Coordinator, Grade 525E, \$2,427.52 biweekly in the Div. of Water Quality, effective October 23, 2017 and Angela Wallace, SANE Program Manager, Grade 525E, \$3,153.85 biweekly in the Div. of Police, effective upon passage of Council had previously received first reading. A motion to suspend the rules and give the resolution second reading failed.

Mr. Stinnett moved to rescind the vote on the motion to suspend the rules on the resolution; Ms. Henson seconded the motion. The motion to rescind the earlier vote was approved by majority vote (Mr. Moloney, Mr. F. Brown and Ms. Bledsoe were absent for the vote).

The motion to suspend the rules was approved by majority vote (Mr. Moloney, Mr. F. Brown and Ms. Bledsoe were absent for the vote) and the resolution received second reading.

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

Aye: Gibbs, Henson, Kay, Lamb, Mossotti, -----11
 Scutchfield, Smith, Stinnett, J. Brown,
 Evans, Farmer

Nay: -----0

Bledsoe, F. Brown and Moloney were absent for the vote.

*

*

*

Upon motion by Mr. Stinnett, seconded by Ms. Mossotti, and approved by majority vote, (Mr. Moloney, Mr. F. Brown and Ms. Bledsoe were absent for the vote), the meeting adjourned at 7:46 p.m.

Deputy Clerk of the Urban County Council