

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky June 11, 2020

Due to the COVID-19 pandemic, state of emergency and Governor Beshear's Executive Orders regarding social distancing, this meeting of the Urban County Council is being held via video-teleconference pursuant to Senate Bill 150 (as signed by the Governor on March 30, 2020) and Attorney General Opinion 20-05, and in accordance with KRS 61.826, because it is not feasible to offer a primary physical location for the meeting.

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on June 11, 2020 at 6:01 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the council: McCurn, Moloney, Plomin, Reynolds, Swanson, Worley, Bledsoe, F. Brown, J. Brown, Ellinger, Evans, Farmer, Kay, and Lamb. Absent was Council Member Mossotti.

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

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The Invocation was given by Councilmember Susan Lamb.

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Upon motion by Mr. Farmer seconded by Ms. Plomin and approved by majority vote (Mr. Moloney did not vote), the Minutes of the May 19, 2020 Special Council Meeting and May 28, 2020 Regular Council Meeting were approved.

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Ms. Mossotti joined the meeting at 6:06 p.m.

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The following ordinances received second reading. Upon motion by Mr. Ellinger, and seconded by Mr. McCurn, the ordinances were approved by the following vote:

Aye: McCurn, Moloney, Mossotti, Plomin, -----15
Reynolds, Swanson, Worley, Bledsoe, F.
Brown, J. Brown, Ellinger, Evans, Farmer,
Kay, Lamb

Nay: -----0

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 51.

An Ordinance creating Section 3-29 of the Code of Ordinances related to commercial quadricycles to define commercial quadricycles; an Ordinance creating Section 3-29(2)(1) of the Code of Ordinances related to commercial quadricycles that a permit is required to operate a commercial quadricycle; creating Section 3-29(2)(1)(a) to require a written application for a permit; creating Section 3-29(2)(1)(b) to require general liability insurance to operate a commercial quadricycle; creating Section 3-29(2)(1)(c) to require that every commercial quadricycle have a safety inspection; creating Section 3-29(2)(1)(d) of the Code of Ordinances related to commercial quadricycles to require submission of a proposed travel route; creating Section 3-29(2)(1)(e) of the Code of Ordinances related to commercial quadricycles to require an Annual Permit Fee of \$250; creating Section 3-29(2)(1)(f) of the Code of Ordinances related to commercial quadricycles to allow for submission of any other documents as the Div. of Alcoholic Beverage Control may require; creating Section 3-29(2)(2) of the Code of Ordinances related to commercial quadricycles to provide for denial, suspension or revocation of the permit; creating Section 3-29(2)(2)(a) to provide for denial, suspension or revocation of a permit if the applicant fails to comply with one or more provisions of the chapter; creating Section 3-29(2)(2)(b) to provide for denial, suspension or revocation of a permit for fraud or misrepresentation in securing the permit; creating Section 3-29(2)(2)(c) of the Code of Ordinances related to commercial quadricycles to provide for denial, suspension or revocation of a permit for fraud, or misrepresentation on the application; creating Section 3-29(2)(2)(d) of the Code of Ordinances related to commercial quadricycles to provide for denial, suspension or revocation if the permit is altered, defaced or counterfeited; creating Section 3-29(2)(2)(e) of the Code of Ordinances related to commercial quadricycles to

provide for denial, suspension or revocation of the permit for failure to comply with state, local or federal law; creating Section 3-29(2)(2)(f) of the Code of Ordinances related to commercial quadricycles to provide for denial, suspension or revocation of the permit to provide for an appeal of denial, suspension or revocation of the permit within 7 days to the Commissioner of Public Safety; creating Section 3-29(3)(1) of the Code of Ordinances related to commercial quadricycles to require businesses submit their proposed travel route to the Alcoholic Beverage Control Administrator; creating Section 3-29(3)(1)(a) of the Code of Ordinances related to commercial quadricycles to provide for the proposed travel route to include the starting and ending points; creating Section 3-29(3)(1)(b) of the Code of Ordinances related to commercial quadricycles to provide that the travel route must include drop off points; creating Section 3-29(3)(1)(c) of the Code of Ordinances related to commercial quadricycles to provide for the proposed travel route and include the duration of the trip; creating Section 3-29(3)(1)(d) of the Code of Ordinances to provide for the proposed travel routes and including the expected travel times; creating Section 3-29(3)(1)(e) of the Code of Ordinances relating to commercial quadricycles to provide for the proposed travel routes shall include the days of the week the quadricycle would be traveling this route; creating Section 3-29(3)(2) related to commercial quadricycles outlining the approved area for travel routes; creating Section 3-29(3)(3) of the Code of Ordinances related to commercial quadricycles to provide for factors for approval or denial of the proposed travel routes; creating Section 3-29(3)(3)(a) of the Code of Ordinances related to commercial quadricycles to provide for the other travel routes for approval; creating Section 3-29(3)(3)(b) of the Code of Ordinances related to commercial quadricycles to provide for a factor of termination or the safety concerns regarding operating on highways and streets; creating Section 3-29(3)(3)(c) of the Code of Ordinances related to commercial quadricycles to provide for the density of vehicular and pedestrian traffic may factor in determining the travel route; creating Section 3-29(3)(3)(d) of the Code of Ordinances related to commercial quadricycles to provide for any other information relevant to the approval process; creating Section 3-29(3)(4) of the Code of Ordinances related to commercial quadricycles to provide that the Div. of Alcoholic Beverage Control may place additional conditions and limitations on the approved travel route; creating Section 3-29(3)(5) of the Code of Ordinances related to

commercial quadricycles to provide for an appeal of any denied travel route within seven (7) days to the Commissioner of Public Safety; creating Section 3-29(4)(1) of the Code of Ordinances related to commercial quadricycles to provide for an annual safety inspection; creating Section 3-29(4)(1)(a) of the Code of Ordinances related to commercial quadricycles to provide for a slow moving emblem on the quadricycle; creating Section 3-29(4)(1)(b) of the Code of Ordinances related to commercial quadricycles to provide for a back or a seat belt for each passenger seat on the quadricycle; creating Section 3-29(4)(1)(c) of the Code of Ordinances related to commercial quadricycles to provide for a minimum of four hydraulic operated brakes; creating Section 3-29(4)(1)(d) of the Code of Ordinances related to commercial quadricycles to provide for a rear view mirror; creating Section 3-29(4)(1)(e) of the Code of Ordinances related to commercial quadricycles to provide for headlights and taillights; creating Section 3-29(4)(1)(f) of the Code of Ordinances related to commercial quadricycles to provide for brake lights; creating Section 3-29(4)(1)(g) of the Code of Ordinances related to commercial quadricycles to provide for turn signals; creating Section 3-29(4)(1)(h) of the Code of Ordinances related to commercial quadricycles to provide for a trash receptacle; creating Section 3-29(4)(1)(i) of the Code of Ordinances related to commercial quadricycles to provide for all equipment to comply with applicable federal and state law; creating Section 3-29(4)(2) of the Code of Ordinances related to commercial quadricycles to provide for the Authorized Public Consumption License be affixed to the commercial quadricycle; creating Section 3-29(5) of the Code of Ordinances related to commercial quadricycles to provide for the hours of operation; creating Section 3-29(6)(1) of the Code of Ordinances related to commercial quadricycles to provide for a maximum of forty eight ounces (48) of malt beverages for consumption on commercial quadricycles; creating Section 3-29(6)(2) of the Code of Ordinances related to commercial quadricycles to provide for filling of an application for Alcoholic Public Consumption License; creating Section 3-29(7)(1)(a) of the Code of Ordinances related to commercial quadricycles to provide that quadricycles operate in conformity with to the local and state traffic laws; creating Section 3-29(7)(1)(b) of the Code of Ordinances related to commercial quadricycles to provide that an operator shall be at least 21 years old; creating Section 3-29(7)(1)(c) of the Code of Ordinances related to commercial quadricycles to provide for

an operator to hold a valid Driver's License and Certified Alcoholic Beverage Server Training; creating Section 3-29(7)(1)(d) of the Code of Ordinances related to commercial quadricycles to provide for that all passengers remain seated while quadricycle is in motion; creating Section 3-29(7)(1)(e) of the Code of Ordinances related to commercial quadricycles to limit the number of passengers to the number of inspected seats; creating Section 3-29(7)(1)(f) of the Code of Ordinances related to commercial quadricycles to provide that no commercial quadricycle shall be stored on public property including streets overnight; creating Section 3-29(7)(1)(g) of the Code of Ordinances related to commercial quadricycles to provide all commercial quadricycle shall operate as close as possible to the shoulder of the road; creating Section 3-29(7)(1)(h) of the Code of Ordinances related to commercial quadricycles to provide the driver and other employees must not be under the influence of alcoholic beverages or illegal substances; creating Section 3-29(8)(1) of the Code of Ordinances related to commercial quadricycles to provide for loading and unloading of passengers shall be done off roadway.

An Ordinance appropriating the revenues, expenditures/expenses and interfund transfers for the General Services District Fund, the Tenant Relocation Fund, the Full Urban Services Districts Fund, the Police Confiscated Federal Fund, the Police Confiscated State Fund, the Public Safety Fund, the Industrial Revenue Bond Fund, the Municipal Aid Program Fund, the County Road Aid Program Fund, the Mineral Severance Fund, the Coal Severance Fund, the Miscellaneous Special Revenue Fund, the Police Confiscated Treasury Fund, the Lexington Economic Development Fund, the Affordable Housing and Homelessness Fund, the FY 2021 Bond Projects Funds, the Sanitary Sewer Revenue and Operating Fund, the Sanitary Sewer Construction Fund, the Lexington Fayette Urban County Government Public Facilities Corporation General Fund, the Lexington Fayette Urban County Government Public Facilities Corporation Parks Projects Fund, the Water Quality Management Fund, the Water Quality Management Construction Fund, the Landfill Fund, the Right of Way Program Fund, the Extended School Program Fund, the Enhanced 911 Fund, the Central Ky. 911 Fund, the Lexington Fayette Urban County Government Public Library Corporation Fund, the City Employees' Pension Fund, the Police and Fire Retirement Fund of the Lexington-Fayette Urban County Government, the Medical Insurance Fund, the Property and Casualty Claims Fund, any other funds as

provided in attached Exhibit “A”, and the reallocation of Bond Project Funds, on a divisional level by four (4) control levels, for the fiscal year ending June 30, 2021, for the Lexington Fayette Urban County Government and its agencies and instrumentalities; approving and adopting the Capital Improvement Program for fiscal years (FY) 2021 through (FY) 2026, as a portion of the fiscal year (FY) 2021 Annual Capital Improvements Budget; and approving funding for the Lexington Fayette Urban County Tourist and Convention Commission from the Transient Room Tax, said funding to equal 99 1/2% of the revenue from the tax; suspending the operation in full or in part of certain Ordinances and Resolutions related to funding; placing certain contingencies on the use of the Extended Social Resource Program funds; and placing certain contingencies on the use of the Local Small Business Economic Stimulus Package (Fund 1144) Funds.

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The following ordinances received first reading and were ordered to be placed on file for public inspection until June 18, 2020:

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 \$200 to provide funds for Council Projects in the Div. of Streets and Roads to assist with the purchase and installation of a new gate at Brighton Trail and appropriating and re appropriating funds, Schedule No. 53.

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The following resolutions received second reading. Upon motion by Mr. Ellinger, and seconded by Mr. McCurn, the resolutions were approved by the following vote:

Aye: McCurn, Moloney, Mossotti, Plomin, -----15
Reynolds, Swanson, Worley, Bledsoe, F.
Brown, J. Brown, Ellinger, Evans, Farmer,
Kay, Lamb

Nay: -----0

A Resolution accepting the bids of Cardno, Inc.; Advanced Mulching Technologies, Inc. d/b/a Ecogro; Klausung Group, Inc.; Pack’s Nursery and Landscaping, LLC; Skybox

Ecological Services, LLC; and Third Rock Consultants, LLC, establishing price contracts for Greenway Maintenance, for the Div. of Environmental Services.

A Resolution accepting the bid of Tom Chesnut Excavation & Construction, LLC, establishing a price contract for Fencing for Man O' War, for the Div. of Streets and Roads.

A Resolution accepting the bid of the Henry P. Thompson Co., establishing a price contract for Submersible Mixers for West Hickman Wastewater Treatment Plant, for the Div. of Water Quality.

A Resolution ratifying the Permanent Civil Service Appointments of: Brittany Smith, Attorney, Grade 523E, \$2,351.36 biweekly in the Dept. of Law, effective April 21, 2020, Michael Fuller, Engineering Technician, Grade 514N, \$19.319 hourly in the Div. of Engineering, effective April 7, 2020, Russell Watkins, Engineering Technician, Grade 514N, \$19.000 hourly in the Div. of Engineering, effective February 26, 2020, Grace Foley, Traffic Engineer Sr., Grade 525E, \$2,707.69 biweekly in the Div. of Traffic Engineering, effective April 7, 2020, Jeremy Asbery, Heavy Equipment Technician, Grade 518N, \$21.760 hourly in the Div. of Facilities and Fleet Management, effective May 25, 2020, Nicholas Cox, Heavy Equipment Technician, Grade 518N, \$22.304 hourly in the Div. of Facilities and Fleet Management, effective May 18, 2020; and ratifying the Classified Civil Service Demotion of: Renu Agarwal, Administrative Specialist Sr., Grade 516N, \$22.380 hourly in the Div. of Revenue, effective May 25, 2020.

A Resolution authorizing the Dept. of Law to institute condemnation proceedings in Fayette Circuit Court to obtain a portion of the real property located at 1180 Newtown Pike in fee simple, with further temporary and permanent easements thereon, for the Upper Cane Run Wet Weather Storage Project.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant to Tanbark Association of Neighbors, Inc., for Stormwater Quality Projects, at a cost not to exceed \$39,925.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 (Final) to the Agreement with Stantec Consulting Services, Inc., for Sanitary Sewer Capacity, Management, Operations, and Maintenance

(CMOM) Implementation Services, decreasing the contract price by the sum of \$123,619.75, from \$275,000.00 to \$151,380.25.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a renewal Pricing Supplement and Pricing Sheet with Transunion Risk and Alternative Data Solutions, Inc., (TRADS), for advanced use for the Div. of Police of a data source maintained by TRADS, at a cost not to exceed \$9,600.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Unified Technologies for Server Replacement and Maintenance for the Coroner's Phone System, at a cost not to exceed \$1,743.37 in Fiscal Year 2020, with four (4) annual renewals at a cost not to exceed \$3,559.48 per fiscal year.

A Resolution amending Resolution 64-2020 to revise an account from which funds are to be paid for Change Order No. 2 to the Contract with Bluegrass Contracting Corporation for the Southland Drive Sidewalk Project.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a certificate of consideration and any other necessary documents, and to accept a deed for the real property located at 622 Silverleaf Ct. as part of the Silverleaf Ct. Stormwater Improvements Project, at a cost not to exceed \$165,000, plus usual and appropriate closing costs.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Ballew Estates, LLC to occupy 2,458 square feet at 141-143 East Main St., as known as Alfalfa's Restaurant, with an annual impact of \$34,589.28.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to renew its Service Agreement with Granicus, Inc., for Legislative Management Software, at a cost not to exceed \$57,742.44 in Fiscal Year 2021, to increase by 3% in each fiscal year thereafter, subject to the appropriation of funds.

A Resolution ratifying, on behalf of the Urban County Government, the Mayor's previous execution of an Agreement with the Lamar Co., L.L.C., d/b/a Lamar, for the purchase of vinyl to make personal protective equipment, at a cost not to exceed \$2,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with C3 Mechanical, LLC for the Boiler

Replacement Project, increasing the contract price by the sum of \$2,064, from \$221,000 to \$223,064.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Professional Services Agreements with Lyndsay Palombit and Angela Begley, as Sexual Assault Nurse Examiners, to provide on call forensic examinations and services under the Sexual Assault Nurse Examiner Program for Fiscal Year 2020, at a cost not to exceed \$9,672.

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 Healthineers, for provision of the needed sized bottles of assay, for the Div. of Community Corrections, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet, 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 \$52,156 in Federal funds under the Victims of Crime Act and are for the support of a Bilingual Victims Advocate in the Div. of Police for Fiscal Year 2021, the acceptance of which obligates a local cash match in the amount of \$13,039 from the Urban County Government and a \$500 in kind 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 execute an Agreement with Ky. Transportation Cabinet (KYTC), to delegate responsibility for operation and maintenance of traffic signals and electrical traffic control devices on roadways included in the State Primary Road System and located in Lexington Fayette County to the Urban County Government, at an estimated cost not to exceed \$360,000 to be reimbursed by KYTC.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept \$159,460 in Federal funds from the U.S. Dept. of Housing and Urban Development's Housing Opportunities for Persons with Aids (HOPWA) Grant program, awarded under the CARES Act, for the purpose of reimbursing expenses incurred to prevent, prepare for and respond to COVID 19, the acceptance of which does

not obligate the Urban County Government for the expenditure of funds, to transfer unencumbered funds within the Grants Budget, and to execute an Agreement with AVOL Ky. to provide short term rental assistance and other eligible program services.

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, 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 \$4,000 in Commonwealth of Ky. funds for Fiscal Year 2021 and are for the disposal and recycling of waste tires, 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 \$67,500 in Commonwealth of Ky. funds from the Ky. Cabinet for Health and Family Services, allocated by the CARES Act, to support child care expenses at the Family Care Center, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and to transfer unencumbered funds within the Grants Budget.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Grant Award Agreement with Lexington and Fayette County Parking Authority, for a Stormwater Quality Project, decreasing the Grant Award by the sum of \$74,443.53, from \$240,000.00 to \$165,556.47.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Release of Easement, releasing a street light easement on the properties located at 421 and 431 United Ct.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Easement Release and Modification Agreement, releasing a utility easement on the property located at 1739 Lakewood Ln.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with Lagco, Inc., for the Manchester St. and Willard St. Sanitary Sewer Improvements Project, increasing the contract price by

the sum of \$478,950, from \$1,683,780 to \$2,162,730, and extending the date of completion by 54 calendar days, to June 19, 2020.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easement, releasing a sanitary sewer easement on the property located at 440 Squires Rd.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2 to the Agreement with Dugan & Meyers, LLC, for the Town Branch Waste Water Treatment Plant Thickening Process Upgrades, increasing the contract price by the sum of \$44,286, from \$3,261,032 to \$3,305,318.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement (awarded pursuant to RFP No. 50-2019), with CARMAN, to provide services for the Div. of Water Quality under the Indefinite Services Contract for Landscape Architecture Services Related to Non Paved Site Restoration, with future work awarded and funds budgeted on a project basis.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute certificates of consideration and other necessary documents, and to accept deeds for property interests, needed for the Wolf Run Trunk Sewers D & E Project, a Remedial Measures Project required by the Consent Decree, at a cost not to exceed \$31,200.

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, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$134,889 in Federal funds under the Victims of Crime Act and are for the implementation of the Underserved Minority Victims Advocacy Program in the Dept. of Social Services for Fiscal Year 2021, the acceptance of which obligates a local cash match in the amount of \$59,183 from the Urban County Government and a \$500 in-kind match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution approving the FY 2021 Budget of the Transit Authority of the Lexington Fayette Urban County Government (LexTran) pursuant to KRS 96A.360 and

requesting that the Comm. 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.

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Upon motion by Mr. J. Brown, seconded by Ms. Evans, and approved by unanimous vote, a Resolution condemning racism and injustice; committing to make Lexington-Fayette County an inclusive environment and to address policies that do not promote equity and equality; standing steadfast with all citizens of Lexington-Fayette County in the fight for racial justice and human rights for all and welcoming input from the community on any necessary policy changes; and authorizing the Mayor to consider implementation of any necessary tools to eliminate racism or ethnic discrimination within Lexington-Fayette County received first reading.

Mr. J. Brown spoke about his and Ms. Evans' concerted efforts to create the resolution. He stated his appreciation for the robust conversation had amongst Councilmembers prior to bringing the resolution forward.

Mr. Farmer inquired if there were any public commenters waiting to speak. Mayor Gorton responded no. He commented on the significance of the resolution, the lack of citizen participation during this time and in an effort to engage public conversation, he read the draft resolution in its entirety which was as follows:

A Resolution condemning racism and injustice; committing to make Lexington-Fayette County an inclusive environment and to address policies that do not promote equity and equality; standing steadfast with all citizens of Lexington-Fayette County in the fight for racial justice and human rights for all and welcoming input from the community on any necessary policy changes; and authorizing the Mayor and Council to consider implementation of any necessary tools to eliminate racism or ethnic discrimination within Lexington-Fayette County.

WHEREAS, from slavery to Jim Crow laws to the modern criminal justice system, African-Americans in this county [sic] have been brutalized and disenfranchised for centuries; and

WHEREAS, the disparities between African-Americans and people of other races have been highlighted most recently by alarming findings that African-Americans are dying from COVID-19 at a much higher rate; and

WHEREAS, recent news stories detailing the murders of unarmed people of color have further deepened the generations of emotional trauma; and

WHEREAS, the Lexington-Fayette Urban County Government, including its Mayor, Urban County Council, Chief of Police, and Lexington Division of Police, are deeply saddened by these tragic events; and

WHEREAS, the recent acts of racisms have sparked advocacy, activism and protests across the country with groups such as Black Lives Matter demanding action be taken to end this violence; and

WHEREAS, racism and hate have no place in Lexington-Fayette County; and

WHEREAS, citizens of Lexington-Fayette County have gathered peacefully in opposition to racism and injustice, reaffirming that people of all races, ethnicities, cultures, and faiths contribute to this community's strength and well-being; and

WHEREAS, the Lexington Police Department has been and will continue to be honest and transparent with internal and external stakeholders; and

WHEREAS, the Urban County Government truly appreciates the overwhelming engagement it receives daily from this great community;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That racism and injustice within Lexington-Fayette County are hereby condemned.

Section 2 - That the Urban County Council is committed to making Lexington-Fayette County an inclusive, safe environment for everyone, and will address all policies that do not promote equity and equality.

Section 3 - That the Urban County Council will stand steadfast with all citizens of Lexington-Fayette County in the fight for racial justice and human rights for all and welcome input from the community on any necessary policy changes to promote equity and equality within Lexington-Fayette County.

Section 4 - That the Mayor and Council, on behalf of the Lexington-Fayette Urban County Government, is hereby authorized to consider implementation of any necessary tools to eliminate racism, injustice, or ethnic discrimination within Lexington-Fayette County.

Section 5 - That this Resolution shall become effective on the date of its passage.

Mr. Famer commented that the Councilmembers were eager to listen and have discussion with the public on this matter, and explained that the Council's process of making change takes time. He encouraged the public to participate in the upcoming Planning and Public Safety Committee meeting on Tuesday, June 16, 2020.

Ms. Lamb thanked Mr. Farmer for reading and spoke about the contents of the resolution.

Ms. Evans spoke about the contents of the resolution and the gravity of the issues. She thanked Mr. J. Brown for bringing the resolution to her and commented on the impact this resolution will carry on the community.

Mr. Moloney spoke in support of the resolution and discussed the higher rate of unemployment in the North End of Lexington. He commented that the resolution should have been implemented a long time ago and talked about equality.

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Community Response Coalition of KY (\$530), Greater Gardenside Association (\$530), Chenault Neighborhood Association (\$250), Idle Hour Neighbors Alliance (\$500), Kenwick Neighborhood Association (\$500), Lansdowne Merrick Neighborhood Association (\$350), One World Films (\$350), Autumn Ridge HOA (\$200), the Cottages of Liberty Woods NA, Inc. (\$200), Eastland Parkway NA, Inc. (\$200), the Danby Corners NA, Inc. (\$200), Joyland NA, Inc. (\$200), and Step by Step, Inc. (\$280) for the Office of the Urban County Council, at a cost not to exceed the sum stated received first reading.

Upon motion by Ms. Evans seconded by Vice Mayor Kay, and approved by unanimous vote, the rules were suspended and the resolution received second reading.

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

Aye: McCurn, Moloney, Mossotti, Plomin, -----15
Reynolds, Swanson, Worley, Bledsoe, F.
Brown, J. Brown, Ellinger, Evans, Farmer,
Kay, Lamb

Nay: -----0

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Coronavirus Relief Fund Application(s) for reimbursement of certain eligible expenses to the Dept. for Local Government, to execute a Memorandum of Agreement, to provide any additional information or documentation required, to act as the authorized correspondent for reimbursement, and to take any other necessary related action received first reading.

Upon motion by Vice Mayor Kay, seconded by Ms. Bledsoe and approved by unanimous vote, the rules were suspended and the resolution received second reading.

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

Aye: McCurn, Moloney, Mossotti, Plomin, -----15
Reynolds, Swanson, Worley, Bledsoe, F.
Brown, J. Brown, Ellinger, Evans, Farmer,
Kay, Lamb

Nay: -----0

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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 U.S. Dept. of Commerce for the Lexington Revolving Loan Fund, 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 \$3,000,000 in Federal funds and are to help communities prevent, prepare for and respond to the coronavirus, the acceptance of which obligates the Urban County Government for the expenditure of \$750,000 as a local match, which is budgeted within the JOBS Fund/Lexington Economic Development Investment Board, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget received first reading.

Upon motion by Ms. Bledsoe, seconded by Ms. Reynolds, and approved by unanimous vote, the rules were suspended and the resolution received second reading.

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

Aye: McCurn, Moloney, Mossotti, Plomin, -----15
Reynolds, Swanson, Worley, Bledsoe, F.
Brown, J. Brown, Ellinger, Evans, Farmer,
Kay, Lamb

Nay: -----0

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The following resolutions received first reading and were ordered to be placed on file for public inspection until June 18, 2020:

A Resolution accepting the bid of Applegate Inspection Service, establishing a price contract for Asbestos Project Monitoring, for the Div. of Facilities and Fleet Management.

A Resolution ratifying the Permanent Civil Service Appointments of: Benjamin Cotton, Laboratory Technician, Grade 513N, \$17.717 hourly in the Div. of Water Quality, effective May 11, 2020 and Michael Vaught, Fleet Operations Manager, Grade 521E, \$2,515.39 biweekly in the Div. of Facilities and Fleet Management, effective May 25, 2020; and ratifying the Classified Civil Service Council leave of: Kevin Binder, Staff Assistant, Grade 508N, \$18.160 hourly in the Div. of Family Services, effective June 17, 2020 through September 14, 2020.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Dell Financial Services for replacement of current firewalls and software licensing, at a cost not to exceed \$81,249.84 annually.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit the 2020 Consolidated Plan/Grant Application to the United States Dept. of Housing and Urban Development (HUD), to provide any additional information requested in connection with this Grant Application, and to accept the Grant if the application is approved, which Grant funds are in the amount of \$4,781,537 in Federal funds, and are for the FY 2021 Community Development Block Grant (CDBG) Program (\$2,427,420), Home Program (\$1,316,746), and Emergency Solutions Grant (ESG) Program (\$206,186), the acceptance of which obligates the Urban County

Government for the expenditure of \$363,065 from various funding sources as a local cash match and \$143,121 as an in kind match; and authorizing the Mayor to execute Agreements for the approved plan; and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Site Specific Agreement with the Jessamine South Elkhorn Water District and RBC, LLC, to provide sanitary sewer conveyance and treatment capacity to the reserve at Tates Creek Unit 2 Development in Jessamine County.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2 to the Agreement with Judy Construction Co., for the West Hickman Waste Water Treatment Plant Final Clarifiers No. 7 and No. 8 Improvements Project, increasing the contract price by the sum of \$22,405.00, from \$1,698,735.75 to \$1,721,140.75.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Amendment No. 3B to the Grant Agreement with the Bluegrass Area Development District, Inc., to incorporate a \$92,682.59 increase in federal funding from the CARES Act for the operation of the Senior Citizens Center in FY 2020.

A Resolution authorizing and directing the Dept. of Finance to allocate an amount equal to the initial \$6,400,000 of reimbursement funds received from the Department for Local Government under the Coronavirus Aid, Relief, and Economic Security Act to the Urban County Government's Contingency Designation Fund (Ordinance No. 50-2016) upon receipt of said funds and the taking of any necessary additional Budgetary actions, with any subsequent withdrawal and use requiring further action; and authorizing and directing the allocation of an amount equal to any additional funds received into the General Fund (Budget Stabilization Reserve), with the Council to discuss potential uses of these reserve funds on at least a quarterly basis.

A Resolution authorizing and directing the Mayor, on behalf of the Lexington Fayette Urban County Government, to execute Purchase of Service Agreements with the Building Institute of Central Ky. (\$50,000); the Community Action Council of Fayette, Bourbon, Harrison, and Nicholas Counties, Inc. (\$50,000); Jubilee Jobs of Lexington, Inc. (\$40,000); Lexington Rescue Mission, Inc. (\$30,000); and Ky. Refugee Ministries, Inc.

(\$30,000), to support workforce development, at a cost not to exceed \$200,000 for FY 2021, with renewal subject to each organization's performance and the budgeting of sufficient funds in future fiscal years.

A Resolution authorizing the Mayor, or her designee, on behalf of the Urban County Government, to execute Change Orders under specific conditions with Structural Systems Repair Group, LLC for construction services for the Government Center Envelope Improvements in order to prevent costly time delays for conditions requiring immediate attention.

A Resolution establishing and authorizing a price contract for FY 2021 and FY 2022 with Harp Enterprises, Inc., as a sole source provider of voting machines and any related maintenance, equipment, supplies and services for the Fayette County Clerk's Office, and authorizing the Mayor or her designee, on behalf of the Urban County Government, to execute any necessary price contract(s) with Harp Enterprises, Inc., related to the procurement of these goods and services with payment up to \$92,500 in FY 2021 contingent upon approval of the Budget.

A Resolution approving the Granting of an inducement to Summit Biosciences, Inc., or its successor or affiliate, pursuant to the Ky. Business Investment Act (KRS Subchapter 154.32), whereby the Lexington Fayette Urban County Government agrees to rebate annually one percent (1%) of the Company's Occupational License Fees for a term of no longer than ten (10) years from the activation date, subject to the limitations contained in the Act and any Agreement 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 an Agreement with the University of Ky., designating LFUCG as a preferred internship site with Therapeutic Recreation Programs for Music Therapy students.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to Lakeshore Village, Inc., for Stormwater Quality Projects, at a cost not to exceed \$75,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Lease Agreements for residential park caretaker properties with the following individuals for the listed properties in consideration of the sums stated in annual rent: Hollis Harvill for 705 Caden Lane, \$5,100; Everett Hampton for 2075 Parkers Mill Rd., \$3,120; Edmon Chaney for 3401 Shamrock Lane, \$6,300; Anna Wiker Peacynski for 3990 Raven Run Way, \$4,680; and Fred Williamson for 4051 Richmond Rd., \$3,360.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept \$301,050 in Federal funds under the CARES Act for the support of child care expenses in the Extended School Program of the Div. of Parks and Recreation, the acceptance of which does not obligate the Urban County Government for the expenditure of funds.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept the proposals for FY 2021 for Excess Liability Insurance from, and to execute any necessary Contracts and documents on behalf of the Urban County Government with, the following insurance companies and/or their respective broker Marsh & McLennan Agency: Aviation from Westchester Fire Insurance Co. at a cost not to exceed \$23,655.26; General, Auto, Public Officials, Law Enforcement, Professional, and Excess Liability from Safety National Casualty Corporation at a cost not to exceed \$478,193.17; Property from Affiliated Factory Mutual (FM) at a cost not to exceed \$479,502.00; Cyber from Ace American Insurance Co. at a cost not to exceed \$23,461.93; Pollution from Illinois Union Insurance Co. at a cost not to exceed \$19,614.67; Workers' Compensation from Safety National Casualty Corporation at a cost not to exceed \$380,437.00; the Workers' Compensation Payroll Audit from Safety National Casualty Corporation at a cost not to exceed \$5,000.00; and Parks and Recreation Student Insurance from Marsh & McLennan at a cost not to exceed \$4,590.00, all subject to sufficient funds being appropriated.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Fourth Amendment to Lease Agreement with Denham Blythe Co., Inc., extending for one (1) year, the term of the lease for office space at 100 Trade Center St., which is used for the Lexington Fayette Urban County Government Wellness Center, at a cost not to exceed \$115,523.08.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Mutual Aid Agreement with Baptist Health Lexington, for EMS Services.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Global Music Rights, LLC for the non-exclusive right to perform publicly, or cause to be performed publicly, compositions licensed by GMR at events wholly or primarily sponsored, promoted or conducted by or under the

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Thomson Reuters for Westlaw on line legal research and publications and Westlaw CLEAR Information Search Services, for the Dept. of Law, at a cost not to exceed \$36,912.01 in FY 2021.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the U.S. Dept. of Commerce for the Lexington Revolving Loan Fund, 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 \$3,000,000 in Federal funds and are to help communities prevent, prepare for and respond to the coronavirus, the acceptance of which obligates the Urban County Government for the expenditure of \$750,000 as a local match, which is budgeted within the JOBS Fund/Lexington Economic Development Investment Board, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

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Upon motion by Vice Mayor Kay, and seconded by Ms. Plomin, the Communications from the Mayor were approved by unanimous vote and were as follows: (1) Recommending the appointment of Ronnie Bastin to the Airport Board, with a term expiring June 30, 2024; (2) Recommending the appointment of Debbie Wagner to the Bluegrass Crime Stoppers, with a term expiring August 30, 2024; (3) Recommending the reappointment of Chauncey Morris, and the appointments of Maynard Crossland, Connie Harvey, and Jason Walton, all with terms expiring July 1, 2024, and recommending the appointment Amy Dailey, filling an unexpired term, with a term expiring July 1, 2022, to CASA of Lexington; (4) Recommending the appointment of Anthony Wright, At large, to

the Economic Development Investment Board, with a term expiring June 11, 2024; and, (5) Recommending the appointment of Leela Atchison, Kentucky Restaurant Association Representative, to the Lexington Convention and Visitors Bureau, with a term expiring June 11, 2024.

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The following Communications from the Mayor were received for information only:

(1) Probationary Classified Civil Service Appointment of David Fender, Public Service Supervisor Sr., Grade 517N, \$20.724 hourly in the Div. of Waste Management, effective June 22, 2020; (2) Probationary Classified Civil Service Appointment New Hire of Woodford Jones, Public Service Worker Sr., Grade 509N, \$14.384 hourly in the Div. of Streets and Roads, effective June 15, 2020; (3) Probationary Community Corrections Officer Appointment of Dylan Pease, Community Corrections Officer Recruit, Grade 109N, \$15.384 hourly in the Div. of Community Corrections, effective upon passage of Council; (4) Probationary Community Corrections Officer Appointment of Zachary Eary, Community Corrections Officer Recruit, Grade 109N, \$15.384 hourly in the Div. of Community Corrections, effective upon passage of Council; (5) Probationary Community Corrections Officer Appointment of Aaron Prentice, Community Corrections Officer Recruit, Grade 109N, \$15.384 hourly in the Div. of Community Corrections, effective upon passage of Council; (6) Unclassified Civil Service Appointment of Daniel Hyatt, Treatment Plant Operator Apprentice, Grade 509N, \$14.172 hourly in the Div. of Water Quality, effective June 22, 2020; (7) Resignation of Roger Mulvaney, Traffic Engineer Manager, Div. of Traffic Engineering, effective May 22, 2020; (8) Resignation of Zackary Francisco, Police Officer, Div. of Police, effective May 17, 2020; (9) Resignation of James Bradley, Building Inspection, Div. of Building Inspection, effective May 8, 2020; (10) Resignation of Chanse Hillard, Public Service Worker Sr., Div. of Streets and Roads, effective May 10, 2020; (11) Resignation of Gary Edwards, Heavy Equipment Mechanic - Apprentice, Div. of Facilities and Fleet Management, effective May 20, 2020; (12) Resignation of Sean Campbell, Police Officer - Trainee, Div. of Police, effective May 12, 2020; and, (13) Resignation of Dustin Spaeth, Police Officer - Trainee, Div. of Police, effective May 14, 2020

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Vice Mayor Kay moved to suspend the rules and allow for all Councilmembers to be considered voting members at the Planning and Public Safety Committee Meeting on June 16th, 2020 at 1 p.m. Ms. Reynolds seconded and the motion was approved by unanimous vote.

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Ms. Lamb recognized her spouse, Diana, for recently completing her Master's Degree in Criminology Law and Society, and noted she had received the Student Leadership Award and Research Excellence Award out of 34 students, and praised her hard work. Mayor Gorton offered her congratulations.

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Mr. Farmer recognized Charlie Martin, Dir. of Water Quality, who had gone door-to-door to inform local businesses of the impact of the upcoming sewer repairs in the Chevy Chase Area. He talked about the Downtown Lexington Corporation meeting that will be held the following morning, and their discussion of a resolution that will be sent to the Urban County Council and Mayor, requesting financial assistance as they have had no income for several months due to COVID 19. Mr. Farmer spoke of the late Alan Bloomfield and shared a memory of Mr. Bloomfield.

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Mr. McCurn talked about a Virtual District Coffee meeting held earlier in the week and commented on the successful dialogue which came as a result. He wished his wife a Happy Birthday. He also congratulated Ms. Lamb's wife on her accomplishments. Mayor Gorton also wished her a Happy Birthday.

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Mr. Moloney wished one of his heroes, Ms. Helen Evans, a Happy 100th Birthday.

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Ms. Mossotti announced that on August 18th, the sculpture "Stand" by Barbara Grygrutis, which honors achievements of women, as well as, the 100th anniversary of the 19th Amendment to the Constitution, will be installed.

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Ms. Plomin echoed Ms. Mossotti's sentiments on the symbolism of the sculpture and anniversary of the 19th Amendment.

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Mr. Ellinger wished both Mayor Gorton and his mother early Happy Birthdays.

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Mayor Gorton wished Happy Birthday to Ms. Helen Evans and spoke of the many accomplishments throughout Ms. Evan's life.

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Upon motion by Mr. Swanson, seconded by Ms. Mossotti, and approved by unanimous vote, the meeting adjourned at 7:13 p.m.

Deputy Clerk of the Urban County Council