

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky June 10, 2021

Due to the COVID-19 pandemic and State of Emergency, this meeting is being held via live video teleconference pursuant to 2020 Senate Bill 150, 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 10, 2021 at 6:01 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the Council: Kloiber, Lamb, LeGris, Moloney, Plomin, Reynolds, Sheehan, Worley, Baxter, Bledsoe, F. Brown, J. Brown, Ellinger, and Kay. Absent was Council Member McCurn.

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

Ordinances No. 37-2021 through 40-2021, inclusive, and Resolutions No. 239-2021 through 284-2021, inclusive, were reported as having been signed and published and ordered to record.

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The Invocation was given by Council Member Preston Worley.

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April Taylor, Council District 1, spoke in support of the Ordinance banning no-knock warrants.

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Madden Miller Jr., Charles Ave., shared his plans to establish a GED Program at community centers around Lexington and requested assistance in acquiring pre-test GED study books so he could distribute them to participants in the program.

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Ky. State Sen. Reginald Thomas, Council District 8, talked about his co-sponsorship of Senate Bill 4, relating to warrants authorizing entry without notice and spoke in support of the Ordinance banning no-knock warrants.

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James Woodhead, Council District 3, spoke in support of the Ordinance banning no-knock warrants.

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Mr. Worley departed the meeting.

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Jamila Green, Council District 11, spoke in support of the Ordinance banning no-knock warrants and suggested other policy changes relating to the Police Department.

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Rev. Clark Williams, Council District 7, spoke in support of the Ordinance banning no-knock warrants.

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Pastor Keith Tyler, Council District 1, spoke in support of the Ordinance banning no-knock warrants.

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Anne Donworth, Council District 5, Dir. of Development, Marketing, and Communications at the Lexington Public Library (LPL), spoke about the Speigle Heights Redevelopment Project Industrial Revenue Bond, and announced the mutual agreement reached between the LPL and Astana, LLC.

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Rev. C.B. Akins, Sr., Council District 10, spoke in support of the Ordinance banning no-knock warrants.

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Reva Russell English, Council District 1, spoke in support of the Ordinance banning no-knock warrants and discussed the level of community engagement surrounding the issue.

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Emma Anderson, Council District 5, spoke in support of the Ordinance banning no-knock warrants.

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Upon motion by Ms. Plomin, seconded by Vice Mayor Kay, and approved by unanimous vote, the Minutes of the May 27, 2021 Council Meeting were approved.

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

Aye: Kloiber, Lamb, LeGris, Moloney, -----13
Plomin, Reynolds, Sheehan, Baxter,
Bledsoe, F. Brown, J. Brown, Ellinger,
Kay

Nay: -----0

Absent: Worley -----1

An Ordinance changing the zone from a Highway Service Business (B-3) zone to a Wholesale and Warehouse Business (B-4) zone, for 3.97 net (4.11 gross) acres, for property located at 750 East New Circle Rd. (Car Real Estate Holdings, LLC; Council District 5).

An Ordinance changing the zone from a Neighborhood Business (B-1) zone to a Light Industrial (I-1) zone, for 3.13 net (6.97 gross) acres, and from a Wholesale and Warehouse Business (B-4) zone to a Light Industrial (I-1) zone, for 1.69 net (1.83 gross) acres, for property located at 804 808 and 805 Newtown Circle. (Collins and Miller Properties, LLC; Council District 1).

An Ordinance amending the authorized strength by abolishing one (1) vacant classified position of Deputy Director of Administrative Services, Grade 527E, and creating one (1) classified position of Administrative Officer Sr., Grade 526E, in the Div. of Water Quality, effective upon passage of Council.

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, FY 2021 Schedule No. 49.

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to reflect current requirements for funds in the amount of \$2,300 for the Div. of Streets and Roads to fund the installation of an ADA sidewalk ramp on Mitchell Ave., 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 \$450 for the Div. of Traffic Engineering for the installation of one speed table on DePorres Ave., Schedule No. 53.

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to reflect current requirements for funds in the amount of \$3,000 for the Div. of Parks and Recreation from Neighborhood Development Funds for the installation of a picnic table at Zandale Park, Schedule No. 54.

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to pre-fund various transfers of the Fiscal Year 2022 Budget, as outlined in the Fiscal Year 2022 Mayor's Proposed Budget document and appropriating and re-appropriating funds, Schedule No. 50.

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The following ordinance received first reading and was ordered to be placed on file for public inspection until June 15, 2021:

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 Miscellaneous Special Revenue Fund, the Lexington Economic Development Fund, the Affordable Housing and Homelessness Fund, the FY 2022 Bond Projects Funds, the United States Dept. of Treasury Fund (American Rescue Plan Act), 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, and any other funds as provided in Exhibit "A", on a divisional level by four (4) control levels, for the fiscal year ending June 30, 2022, for the Lexington Fayette Urban County Government and its agencies and instrumentalities; approving and adopting the

Capital Improvement Program for fiscal years (FY) 2022 through (FY) 2027, as a portion of the fiscal year (FY) 2022 Annual Capital Improvements Budget; 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; and suspending in full or in part the application and operation of certain Ordinances related to funding for FY 2022.

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An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, FY 2021 Schedule No. 51 was on the docket to receive first reading.

Upon motion by Ms. Bledsoe, seconded by Ms. Plomin, and approved by majority vote (Mr. Worley was absent), the ordinance was amended to amend the attached Schedule No. 51 to include additional items related to the following: (1) reallocate savings in the General Fund to allow the paving contractor to begin more quickly, (2) transfer unexpended Workforce Development funds in the General Fund to the Economic Development Fund, (3) recognize a donation to Family Services, (4) reallocate savings from completed Remedial Measures projects to North Elkhorn Pump Station and Wet Weather Storage project, (5) reallocate funds in the CARES Act Community Development Block Grant (CDBG-CV) program to provide funds for the Lexington Housing Authority, and (6) allocate additional funds received for Community Development Block Grant FY 2015.

The ordinance, as amended, received first reading and was ordered to be placed on file for public inspection until June 24, 2021.

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The following ordinances received first reading and were ordered to be placed on file for public inspection until June 24, 2021:

An Ordinance changing the zone from a Neighborhood Business (B-1) zone to a High Density Apartment (R-4) zone, for 1.56 net (1.86 gross) acres, for property located at 1009 and 1017 Wellington Way. (RTA Family Trust; Council District 10).

An Ordinance changing the zone from a Single Family Residential (R-1C) zone to a planned Neighborhood Residential (R-3) zone, for 5.04 net and gross acres, from a Single Family Residential (R-1D) zone to a planned Neighborhood Residential (R-3) zone, for 0.18 net (0.38 gross) acre, and from a Townhouse Residential (R-1T) zone to a planned Neighborhood Residential (R-3) zone for 0.64 net and gross acre, for property located at 1100 Armstrong Mill Rd. (a portion of). (Wynndale Development, LLC; Council District 8).

An Ordinance creating Subsection 5-29(20) of the Code of Ordinances of the Lexington Fayette Urban County Government related to fee schedules for a fee of Fire Detection Systems of up to 20,000 square feet \$275; over 20,000 square feet \$275 plus \$30 for each additional 10,000 square feet; creating Section 5-29(21) of the Code of Ordinances related to fee schedule to create a fee of Fire Suppression Systems for 4-25 sprinkler systems \$150, 26-100 sprinkler systems \$200, 100-200 sprinkler systems \$250 201-300 sprinkler systems \$275; 301-400 sprinkler systems \$325; 401-750 sprinkler systems \$375; over 750 sprinkler systems \$375 plus \$.30 per sprinkler over 750, all other suppression systems \$275.

An Ordinance amending the authorized strength by abolishing one (1) vacant unclassified position of Fleet Parts Specialist, Grade 510N, and creating one (1) classified position of Service Writer, Grade 510N, in the Div. of Facilities and Fleet Management, effective upon passage of Council.

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to reflect current requirements for funds in the amount of \$2,500 for Environmental Services (Greenspace Commission) to assist with the final phase of Dantzler Court, Schedule No. 56.

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to reflect current requirements for funds in the amount of \$1,800 for Aging And Disability Services for the purchase of reopening supplies for satellite locations, Schedule No. 55.

An Ordinance enacting Section 23-51 of the Code of Ordinances of the Lexington Fayette Urban County Government, banning the use of no knock warrants by the Div. of Police; requiring Lexington police officers to knock and announce themselves before

entering a premises to execute a warrant; and requiring any Lexington police officer present in the initial entry and securing of the scene of a warrant to be equipped with and activate a body worn camera.

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The following resolutions received second reading. Upon motion by Vice Mayor Kay, and seconded by Ms. LeGris, the resolutions were approved by the following vote:

Aye: Kloiber, Lamb, LeGris, Moloney, -----13
Plomin, Reynolds, Sheehan, Baxter,
Bledsoe, F. Brown, J. Brown, Ellinger,
Kay

Nay: -----0

Absent: Worley

A Resolution accepting the bid of Kentuckiana Auto & Truck Supply, establishing a price contract for Motorcraft Batteries, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Herrick Co., Inc., in the amount of \$62,500, for the installation only of Stainless Steel Slide Gates at Town Branch, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Herrick Co., Inc., related to the bid.

A Resolution accepting the bid of Herrick Co., Inc., in the amount of \$56,750, for the West Hickman Waste Water Treatment Plant Water Strainer Replacement, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Herrick Co., Inc., related to the bid.

A Resolution accepting the bid of Schiller Architectural Hardware, & Door Systems in the amount of \$31,680, for Flammable Storage Building Doors Replacement at Town Branch Waste Water Treatment Plant, for the Div. of Water Quality.

A Resolution accepting and approving the bids of General Parts Distribution, LLC d/b/a Advance Auto Parts; Fleetpride, Inc.; Kentuckiana Auto & Truck Supply, LLC, and Truck Pro, LLC, establishing price contracts for Truck and Auto Batteries, for the Div. of Facilities and Fleet Management.

A Resolution accepting and approving the bid of Batteries Plus, LLC, establishing a price contract for Truck and Auto Batteries - Supplemental, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of KOI Auto Parts, establishing a price contract for Motorcraft Batteries - Supplemental, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bids of Clarke Power Services, Inc.; Key Oil Co.; and TruckPro, LLC, establishing price contracts for Synthetic Transmission Fluid, for the Div. of Facilities and Fleet Management.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Contract with Rozzi Inc. / dba Rozzi Famous Fireworks for a Fireworks display on July 3, 2021 or the postponement date of July 4, 2021.

A Resolution authorizing the Div. of Streets and Roads to purchase snowplow parts from J. Edinger and Sons, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with J. Edinger and Sons, related to the procurement, at a cost not to exceed \$167,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Professional Services Agreement with Gresham Smith for a site evaluation and development of a Master Plan for the Coldstream Industrial Park 200 acre site, increasing the Contract amount by \$887 for provision and administration of project website from May 7, 2021 through June 20, 2021.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easement, releasing a utility easement on the properties located at 132 Louie Place and 148 Louie Place.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Final Adjusting Change Order No. 1 to the Agreement with WRC1, LLC d/b/a W. Rogers Co., LLC, for the Expansion Area 3 Pump Station Project, decreasing the Contract price by the sum of \$523,528.80, from \$5,190,766.00 to \$4,667,237.20.

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 Liberty Rd. Trunk Sewer Project, a Remedial Measures Project required by the Consent Decree, at a cost not to exceed \$18,264.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from Vulcan Materials of 350 cubic feet of natural limestone wall face and cap stone for use at the Versailles Rd. Welcome Sign.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from Keeneland Association Inc. of time and materials to construct and paint a 650 foot four board fence, for use at the Versailles Rd. Welcome Sign.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a multi-year Agreement (awarded pursuant to RFP No. 3-2021) with Risk Management Services Co., for third party administrator for claims management services and claims adjustment handling services for workers' compensation, auto liability and physical damage, general liability, and property claims, at a cost estimated not to exceed \$383,600 plus 20% of subrogation in FY2022.

A Resolution authorizing and directing the Mayor on behalf of the Urban County Government to execute a Master Subscription Agreement and related order form with Granicus, LLC, for Legistar maintenance and support, for the Office of the Council Clerk, at a cost not to exceed \$26,611.12 for FY 2022, with annual increases not to exceed 10% in future fiscal years.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 3 (Final) to the Agreement with L-M Asphalt Partners Ltd. d/b/a ATS Construction, for the Expansion Area 3 Trunk Sewer Project, increasing the Contract price by the sum of \$240,779.59, from \$4,476,870.65 to \$4,717,650.24.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Grant award Agreement with WGPL Neighborhood Association, Inc., for a Stormwater Quality Project, decreasing the Grant award by the sum of \$5,492.63, from \$11,575.00 to \$6,082.37.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to provide \$15,000 in matching funds to the Blue Grass Community Foundation for the Civic Artist In Residence Project.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with The Plantory, for provision of an AmeriCorps VISTA Member, for support and services for the Office of Multicultural Affairs (Global Lex), at a cost not to exceed \$6,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to North Lexington Holdings II, LLC, for Stormwater Quality Projects, at a cost not to exceed \$48,255.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept an award from the Ky. 911 Services Board, previously known as Ky. Commercial Mobile Radio Services (CMRS) Board, in the amount of \$86,069.90 in Commonwealth of Ky. funds, for the purpose of updating and refreshing Solacom Guardian 911 Telephone Custer Premise Equipment for the Div. of Enhanced 911, the acceptance of which obligates the Urban County Government for the expenditure of \$9,563.32 as a local match, and authorizing and directing the Mayor to execute an Agreement with the Ky. 911 Services Board for the acceptance of this award, 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 in the amount of \$178,120 in Federal funds from the Ky. Office of Homeland Security in partnership with the Ky. Office of the Secretary of State, in order to purchase Cradlepoint Devices for Election Security, the acceptance of which does not obligate the Urban County Government to the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Letter Agreement with Dean Dorton Allen Ford, PLLC, to provide a cybersecurity assessment for the Chief Information Officer, at a cost not to exceed \$9,900.

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 Idle Hour Culvert Access Stormwater Improvements Project, at a cost not to exceed \$165.25.

A Resolution expressing the support of the Lexington Fayette Urban County Council for the Housing and Homelessness Strategic Plan and expressing its continued desire to ensure that funding is made available each fiscal year, in accordance with

Ordinance No. 103-2014, for the activities of the Affordable Housing Fund and the innovative and sustainable solutions to Homelessness Fund.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Land and Water Conservation 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 \$25,000 for improvements at Raven Run Nature Sanctuary for the Div. of Parks and Recreation, the acceptance of which obligates the Urban County Government to a local cash match in the amount of \$25,000, with \$5,000 of that match provided by the Friends of Raven Run, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Office of Homeland Security, which Grant funds are in the amount of \$180,800 Federal funds under the FY 2020 State Homeland Security Grant Program, for the Div. of Police, in order to purchase and install a Power Hawk tool attachment for an Explosive Ordnance Disposal robot, identifier 2 radiation detector, ChemPro 100i chemical/radiation detector, RadEye G personal radiation pager with holster, night vision monoculars, XRS 3 x ray generator, and a SRV extreme digital x ray panel for the FBI Certified Bomb Squad, along with associated tools, equipment, and maintenance costs, 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, on behalf of the Urban County Government, ratifying the Mayor's previous execution of an Agreement accepting an award of \$121,178,058 of Federal funds from the U.S. Treasury Dept. under the American Rescue Plan Act, the acceptance of which does not obligate the Urban County Government to the expenditure of funds, authorizing and directing the Mayor to execute all necessary award documents, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

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Mr. Moloney departed the meeting.

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A Resolution ratifying the Probationary Classified Civil Service Appointment of: Michelle Deas, Property and Evidence Technician, Grade 513N, \$18.379 hourly in the Div. of Police, effective June 7, 2021; and ratifying the Permanent Classified Civil Service Appointments of: John Hancock, Fleet Parts Specialist Sr., Grade 513N, \$19.500 hourly in the Div. of Fire and Emergency Services, effective May 16, 2021, Eugene Thomas, Educational Program Aide, Grade 508N, \$14.138 hourly in the Div. of Youth Services, effective May 2, 2021, Robert Wilson II, Heavy Equipment Technician, Grade 518N, \$22.159 hourly in the Div. of Facilities and Fleet Management, effective May 16, 2021; and ratifying the Probationary Sworn Appointment of: Steven Wiggins, Police Sergeant, Grade 315N, \$32.408 hourly in the Div. of Police, effective May 31, 2021.

A Resolution approving the FY 2022 Budget of the Transit Authority of the Lexington Fayette Urban County Government (LexTran) pursuant to KRS 96A.360 and requesting that the Commissioner of Finance authorize the Fayette County Sheriff's Office to disburse the funds to LexTran collected from the Ad Valorem Tax approved by voters on November 9, 2004.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Civic Lex for the lease of space at 141 E. Main Street for a period of thirteen months.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Canteen, for vending equipment at East Roll Call.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to United Landscape Services, Inc., for Stormwater Quality Projects, at a cost not to exceed \$26,000.

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Mr. Moloney rejoined the meeting.

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with U.S. Geological Survey, for the continuing and ongoing maintenance and operation of existing stream flow and precipitation gauges, for the

period July 1, 2021 through June 30, 2022, at a cost not to exceed \$118,450, subject to sufficient funds being appropriated (FY2022).

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with R.J. Corman Railroad Co. for the set up and execution of Lexington's 4th of July Fireworks at Railroad's Lexington Yard.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement (awarded pursuant to RFP No. 2-2021), with Millennium Learning Concepts LLC, for a Disparity and Inclusion Workshop and related services, at a cost not to exceed \$120,500.

A Resolution changing the street names and property address numbers of 565 585 Waveland Museum Lane to 680 Millpond Rd., 1301 South Broadway to 444 Parkway Dr., 560 Waveland Museum Lane to 3910 Stone Crossing Lane and 1975 Russell Cave Rd. to 750 Ward Dr., changing a segment of Jefferson St. from the northern terminus with Manchester St. to the southern terminus with West High St., a distance of 206 feet to Manchester St. and changing a segment of Topeka Rd. from the northern terminus with Wichita Dr. to the southern terminus with Pasadena Dr., a distance of 401 feet to Wichita Dr., all effective thirty (30) days from passage.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Plan Renewal Agreement with Humana for the Medicare Advantage Plan for Police and Fire Retirement, for the period beginning January 1, 2022 through December 31, 2022.

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A Resolution accepting the bid of WPC Co., Inc., in the amount of \$33,012, for Water Fountain Installation, for the Div. of Parks and Recreation received first reading.

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

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

Aye: Kloiber, Lamb, LeGris, Moloney, -----13
Plomin, Reynolds, Sheehan, Baxter,
Bledsoe, F. Brown, J. Brown, Ellinger,
Kay

Nay: -----0

Abstain: Worley -----1

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A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Classified Civil Service Appointments: Paul Jones, Resource Recovery Operator, Grade 513N, \$17.291 hourly in the Div. of Waste Management, effective July 19, 2021, Joseph Wright, Resource Recovery Operator, Grade 513N, \$19.038 hourly in the Div. of Waste Management, effective July 6, 2021, Channing Haynes, Resource Recovery Operator, Grade 513N, \$17.148 hourly in the Div. of Waste Management, effective July 12, 2021, Joseph Edmiston, Associate Traffic Engineer, Grade 520E, \$1,919.20 biweekly in the Div. of Traffic Engineering, effective June 21, 2021, Brian Roach, Park Designer, Grade 521E, \$2,307.70 biweekly in the Div. of Parks and Recreation, effective June 21, 2021; and authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Community Corrections Officer Appointment: Megan Levi, Community Corrections Officer Recruit, Grade 109N, \$15.384 hourly in the Div. of Community Corrections, effective upon passage of Council; and authorizing the Div. of Human Resources to make a conditional offer to the following Unclassified Civil Service Appointment to the Office of the Urban County Council: Shaun Denney, Legislative Aide, Grade 518E, \$2,607.69 biweekly in the Council office, effective June 21, 2021 received first reading.

Upon motion by Mr. J. Brown, seconded by Ms. Plomin, and approved by majority vote (Mr. Worley was absent), the rules were suspended and the resolution received second reading.

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

Aye: Kloiber, Lamb, LeGris, Moloney, -----13
Plomin, Reynolds, Sheehan, Baxter,
Bledsoe, F. Brown, J. Brown, Ellinger,
Kay

Nay: -----0

Abstain: Worley -----1

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet, which Grant funds are in the amount of \$50,821.00 in Federal funds for the continuation of the Street Sales Drug Enforcement Project for FY 2022, to provide any additional information requested in connection with this Grant Application, and to accept this Grant award if offered, the acceptance of which will obligate the Lexington Fayette Urban County Government to the expenditure of \$12,913.87 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget received first reading.

Upon motion by Ms. Baxter, seconded by Mr. J. Brown, and approved by majority vote (Mr. Worley was absent), the rules were suspended and the resolution received second reading.

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

Aye: Kloiber, Lamb, LeGris, Moloney, -----13
Plomin, Reynolds, Sheehan, Baxter,
Bledsoe, F. Brown, J. Brown, Ellinger,
Kay

Nay: -----0

Abstain: Worley -----1

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Parking Agreement with Event Parking Expert, LLC, for traffic control and parking assistance for Lexington's 4th of July Fireworks display, at a cost not to exceed \$1,500 received first reading.

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

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

Aye:	Kloiber, Lamb, LeGris, Moloney, Plomin, Reynolds, Sheehan, Baxter, Bledsoe, F. Brown, J. Brown, Ellinger, Kay	-----13
Nay:		-----0
Abstain:	Worley	-----1

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A Resolution releasing storm and sanitary sewer easements, and authorizing the Mayor to execute any necessary documents, on the property located at 757 DeRoode St., for the Newtown Pike Extension Project Mitigation Area received first reading.

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

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

Aye:	Kloiber, Lamb, LeGris, Moloney, Plomin, Reynolds, Sheehan, Baxter, Bledsoe, F. Brown, J. Brown, Ellinger, Kay	-----13
Nay:		-----0
Abstain:	Worley	-----1

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with Morton Middle School PTA c/o 16th District PTA (\$1,000), Georgetown Street Area Neighborhood Assoc., Inc. (\$1,050), Lyric Theatre and Cultural Arts Center (\$1,000), Black Soil: Our Better Nature, LLC c/o Fayette Alliance Foundation, Inc. (\$900), Journi’s Hope (\$400), Arbor Youth Services, Inc. (\$800), Strengthening Transformations, Inc. (\$350), the Lexington Hearing & Speech Center, Inc. (\$5,346), Pinnacle Homeowners Association (\$2,000), Lexington Gay Services

Organization (\$1,500), the Lansdowne Neighborhood Assoc., Inc. (\$1,500), Autumn Ridge Homeowners Assoc. c/o Adkins Property Management (\$2,526), Eastland Parkway Neighborhood Assoc. (\$2,526), Joyland Neighborhood Assoc., Inc. (\$2,526), Cottages of Liberty Woods (\$2,526), One Parent Scholar House (\$5,346), Garrett Morgan Elem. PTA (\$1,800), Girls on the Run Central Ky. (\$459), Ashland, the Henry Clay Estate (\$459), LexArts, Inc. (\$6,663), Athens Chilesburg Elem. PTA c/o 16th District PTA (\$1,310), Brenda Cowan Elementary c/o 16th District PTA (\$528), Squires Elementary School PTA c/o 16th District PTA (\$800), Andover Neighborhood Assoc. c/o AllPoints Community Management (\$1,600), Chilesburg Maintenance Association (\$1,600), Fairways at Lakeside Neighborhood Assoc. (\$1,600), Lexington Leadership Foundation Urban Impact (\$1,600), Locust Hill Townhomes Assoc., Inc. (\$800), Squire Oak HOA (\$1,600), Sisters Road to Freedom, Inc. (\$269), CASA of Lexington, Inc. (\$4,000), Junior League of Lexington (\$622), Transylvania Park (\$900), Bell Court Neighborhood Assoc. (\$900), Historic Woodward Heights Neighborhood Assoc. (\$900), Mentelle Neighborhood Assoc. (\$900), Aylesford Place Neighborhood Assoc. (\$900), Seven Parks Neighborhood Assoc. (\$900), Neighbors of Montclair (\$900), Pensacola Park Neighborhood Assoc. (\$900), the Lexington History Museum, Inc. (\$1,000), the Salvation Army (\$1,000), and Breaking the Bronze Ceiling c/o Bluegrass Community Foundation (\$2,000), for the Office of the Urban County Council, at a cost not to exceed the sums stated received first reading.

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

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

Aye:	Kloiber, Lamb, LeGris, Moloney, Plomin, Reynolds, Sheehan, Baxter, Bledsoe, F. Brown, J. Brown, Ellinger, Kay	-----13
Nay:		-----0
Abstain:	Worley	-----1

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The following resolutions received first reading and were ordered to be placed on file for public inspection until June 24, 2021:

A Resolution of the Lexington Fayette Urban County Government, giving preliminary approval of an Industrial Revenue Bond Financing for Astana LLC, and any affiliates or assignees thereof; authorizing initiation of the acquisition, construction, equipping, and installation of an Industrial Project; agreeing to undertake the issuance of one or more Series of Industrial Revenue Bonds at the appropriate time or times; authorizing the execution and delivery of a Memorandum of Agreement and payment in lieu of taxes Agreements in connection with the issuance of the Bonds; and taking other preliminary actions.

A Resolution accepting the bid of CED, Inc., establishing a price contract for Downtown Street Light Equipment, for the Div. of Traffic Engineering.

A Resolution accepting the bids of Acme Supply Co., Ltd.; Bob Barker Co., Inc.; Charm Tex, Inc.; Victory Supply, Inc.; and ICS Jail Supplies, Inc., establishing price contracts for Jumpsuits for Inmates, for the Div. of Community Corrections.

A Resolution accepting the bid of Tribute Contracting & Consultants, LLC, in the amount of \$3,582,778, for the Southeastern Hills Trunk Sewer Improvements, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Lexington Fayette Urban County Government, to execute an Agreement with Tribute Contracting & Consultants, LLC, related to the bid.

A Resolution accepting the bids of Blue Tank and Pump Rental, LLC, and Allied Technical Services, Inc., establishing price contracts for Temporary Pumping Services, for the Div. of Water Quality.

A Resolution ratifying the Probationary Classified Civil Service Appointments of: John Brown, Public Service Supervisor Sr., Grade 517N, \$28.580 hourly in the Div. of Waste Management, effective June 21, 2021, Malcolm Irvin, Public Service Supervisor Sr., Grade 517N, \$24.616 hourly in the Div. of Waste Management, effective June 21, 2021, Jeffrey Jones, Public Service Supervisor Sr., Grade 517N, \$25.903 hourly in the Div. of Waste Management, effective June 21, 2021, Dominique Sparks, Resource Recovery Operator, Grade 513N, \$17.764 hourly in the Div. of Waste Management, effective June 21, 2021, Kendrick Shackelford, Trades Worker Sr., Grade 511N, \$17.102

hourly in the Div. of Streets and Roads, effective June 7, 2021, Jonelle Patton, Director of Enhanced 911, Grade 526E, \$3,846.16 biweekly in the Div. of enhanced 911, effective June 21, 2021; and ratifying the Permanent Classified Civil Service Appointment of: Kalman Gortman, Engineering Technician, Grade 514N, \$19.468 hourly in the Div. of Engineering, effective June 15, 2021; and ratifying the Probationary Sworn Appointment of: Weslee Farley, Police Sergeant, Grade 315N, \$32.408 hourly in the Div. of Police, effective May 16, 2021.

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 Peachtree Rd. and Woodhill Dr. Stormwater Improvements Project, at a cost not to exceed \$211.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Ky. Transportation Cabinet (KYTC), for delegation for operation and maintenance of traffic signals and electrical traffic control devices in the State Primary Road System in Fayette County, at a cost not to exceed \$360,000 to be reimbursed by KYTC.

A Resolution accepting the bids of the following entities in response to RFP No. 5-2021 to provide information technology consulting and technical services, and establishing price contracts and authorizing the Mayor, on behalf of the Urban County Government, to enter into any additional necessary Agreements with each: Apax Software Development, Metaformers, DLZP Group, Step Cg, Trinity Data Solutions & IT Services, the Solarity Group, Sitek, Trace3, SWOVA, SCUBE, Securance, Objective Results, Sirius Computer Solutions, Nuharbor Security, and Creative Breakthroughs.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a multi-year Agreement with Ion Wave Technologies, Inc., for a procurement system, at a cost not to exceed \$27,500 in Fiscal Year 2022.

A Resolution authorizing the Div. of Fire and Emergency Services to purchase cardiac monitors from ZOLL, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with ZOLL, related to the procurement, at a cost not to exceed \$180,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Master Services Agreement with Ellipsis Information Security LLC, for the performance of a Web Application Assessment, for the chief Information Officer, at a cost not to exceed \$4,450.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to Huber Real Estate No. 1, LLC, for Stormwater Quality Projects, at a cost not to exceed \$12,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to Wesley United Methodist Church of Lexington, Ky., Inc., for Stormwater Quality Projects, at a cost not to exceed \$24,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a statement of affiliation with the Div. of Fire and Emergency Services Rescue Team and Div. of Emergency Management in accordance with KRS Chapter 39f, for meeting requirements for Assistance Program Grants.

A Resolution authorizing the Div. of Human Resources to make conditional and promotional offers to the successful candidates for Classified Civil Service, Unclassified Civil Service and sworn positions; directing the Mayor to provide a list of the names of the successful candidates, pay grades and salaries no later than August 12, 2021; and providing that this authorization shall expire on August 6, 2021.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept the proposals for FY 2022 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 (CHUBB) at a cost not to exceed \$33,573.00; general, auto, public officials, law enforcement, and professional from Safety National Casualty Corporation at a cost not to exceed \$448,981.55; excess liability from Safety National Casualty Corporation at a cost not to exceed \$145,816.00; excess law enforcement liability from Kinsale Insurance Co. at a cost not to exceed \$116,528.17; property from Affiliated Factory Mutual (FM) at a cost not to exceed \$561,476.71; cyber from Crum & Forster Insurance Co. at a cost not to exceed

\$54,882.43; pollution from Illinois Union Insurance Co. (CHUBB) at a cost not to exceed \$21,262,.00; and workers' compensation from Safety National Casualty Corporation at a cost not to exceed \$395,580.00; all subject to sufficient funds being appropriated.

A Resolution establishing Sandoval Custom Creations, Inc., as a sole source provider for the purchase of Trans Cam, Cobra Cam and 360 Splice Boot Cam camera systems and associated hardware for installation for the Div. of Police, and authorizing the Mayor or her designee, on behalf of the Urban County Government, to execute any necessary Agreements with Sandoval Custom Creations, Inc., related to the procurement of these goods, at a cost not to exceed \$51,604.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Transportation Cabinet for the acceptance of Federal funds, which Grant funds are in the amount of \$480,000 for the ITS/CMS (Intelligent Transportation System/Congestion Management System) Traffic Improvements Project for FY 2022, the acceptance of which obligates the Urban County Government for the expenditure of \$120,000 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Cabinet for Health and Family Services, which Grant funds are in the amount of \$150,000 in Federal funds, for the purpose of enhancing the Quick Response Team within the Community Paramedicine Program as part of the Ky. Opioid Response Effort, the acceptance of which does not obligate the Urban County Government to the expenditure of funds, and authorizing and directing the Mayor to transfer unencumbered funds with the Grant Budget established for this Grant.

A Resolution ratifying and approving the Fiscal Year 2022 Budget of the Downtown Lexington Management District.

A Resolution of the Urban County Council expressing the support of the Urban County Council for the expansion and continued permitting of the Central Ky. Landfill.

A Resolution amending Appendix A - Rules and Procedures of the Lexington Fayette Urban County Council to allow members of the public to state their Council District instead of their address before making public comment.

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Mr. Worley rejoined the meeting.

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Upon motion by Vice Mayor Kay, and seconded by Ms. Lamb, the Communications from the Mayor were approved by unanimous vote and were as follows: (1) Recommending the appointment of Danielle Sander to the Black & Williams Neighborhood Center Board, with term expiring January 1, 2025; (2) Recommending the reappointment of Raquel Carter to the Board of Adjustment, with term expiring July 1, 2025; (3) Recommending the appointment of Zachary Brien to the CASA of Lexington, with term expiring July 1, 2025; (4) Recommending the appointment of Jill Leckner, Architect Representative, to the Courthouse Area Design Review Board, with term expiring June 30, 2025; (5) Recommending the reappointment of Noland Aull, District 5 Resident, to the Environmental Commission, with term expiring April 13, 2025; (6) Recommending the appointment of Mariana Marye, District 12 Resident to the Parks and Recreation Advisory Board, with term expiring June 1, 2025; (7) Recommending the reappointment of Headley Bell to the Planning Commission, with term expiring July 1, 2025; and, (8) Recommending the reappointment of Adrienne Thakur to the Transit Authority Board, with term expiring June 30, 2025.

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The following Communications from the Mayor were received for information only: (1) Classified Civil Service Lateral Transfer of Timothy Lee, Traffic Signal Technician Sr., Grade 515N, \$19.173 hourly in the Div. of Traffic Engineering, effective June 14, 2021; (2) Classified Civil Service Lateral Transfer of Gary James, Traffic Signal Technician Sr., Grade 515N, \$22.089 hourly in the Div. of Traffic Engineering, effective June 21, 2021; (3) Termination of Paul Smith, Fleet Parts Specialist, Div. of Facilities and Fleet Management, effective May 12, 2021; (4) Resignation of Tricia Platt, Early Child Care Teacher, Div. of Family Services, effective May 5, 2021; (5) Resignation of Andrew Short, Safety Officer, Div. of Police, effective May 11, 2021; (6) Resignation of Christopher Toombs, Police Officer, Div. of Police, effective May 26, 2021; (7) Resignation of Andrea James, Administrative Aide to Mayor, Office of the Mayor, effective April 30, 2021; (8) Resignation of Gregory Sheffer, Maintenance Mechanic, Div. of Water Quality, effective April 30, 2021; (9) Resignation of Nicholas Stanton, Police Officer, Div. of Police, effective

May 7, 2021; (10) Resignation of Ichiro Vance, Police Officer, Div. of Police, effective May 21, 2021; (11) Resignation of Bonarges Cohen, Corrections Officer, Div. of Community Corrections, effective May 7, 2021; (12) Resignation of Lavonte Kimbro, Administrative Specialist Sr., Div. of Revenue, effective May 7, 2021; (13) Resignation of Nicole Davidson, Telecommunicator Sr., Div. of Enhanced 911, effective April 30, 2021; (14) Resignation of Nora Givens, Corrections Officer, Div. of Community Corrections, effective May 12, 2021; (15) Resignation of Amanda Richeal, Staff Assistant Sr., Div. of Building Inspection, effective April 30, 2021; (16) Resignation of Dylan Hanshaw, Corrections Officer, Div. of Community Corrections, effective May 23, 2021; (17) Resignation of Richard Robinson, Corrections Officer, Div. of Community Corrections, effective May 8, 2021; (18) Resignation of Darrius Ford, Corrections Officer, Div. of Community Corrections, effective May 18, 2021; and, (19) Resignation of Christopher Oldham, Corrections Officer, Div. of Community Corrections, effective May 5, 2021.

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Chief Lawrence Weathers, Div. of Police, presented a disciplinary matter regarding Officer Roman Puchovsky. An allegation has been made that Officer Puchovsky has committed the offense of Operation and Maintenance of Department Vehicles which constitutes misconduct under the provisions of KRS 95.450 and/or KRS 15.20 and General Order 1973-03S Operation and Maintenance of Department Vehicles, V, 5 in that on the various day(s) of 20 various, he/she allegedly:

- (1) Officer Puchovsky, who lives in Georgetown, Kentucky, has been driving his issued Department-owned vehicle to Stamping Ground, Kentucky, without the express permission of his chain of command. Stamping Ground is north of his residence, and outside of a reasonable course of travel from his home to Fayette County.

The appropriate punishment for this conduct is Written Reprimand and four (4) weeks suspension of Home Fleet.

Upon motion by Mr. J. Brown, seconded by Ms. Reynolds and approved by unanimous vote, the disciplinary recommendation was approved.

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Mr. Moloney commended Charlie Lanter, Dir. of Grants and Special Programs, and Ginny Ramsey, Dir. of Community Action Council, for their efforts to assist Lexington residents who may become displaced once Gov. Beshear's Executive Order relating to evictions expires on June 30, 2021. He spoke about the recent retirement of Chris Bartley, Dept. of Fire and Emergency Services.

Mayor Gorton shared that there were additional funds in the Budget allocated for evictions. Mr. Moloney responded.

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Ms. Reynolds clarified that she misspoke during Tuesday's Work Session regarding a recommendation made by the Mayor's Commission for Racial Justice and Equality.

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Mr. Kloiber invited everyone to attend Cinco De Y-O Themed Family Fun Day, at the Hamburg YMCA between 2:00 – 5:00 p.m. on June 26, 2021.

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Mr. J. Brown thanked Chief Jason Wells, Dept. of Fire and Emergency Services, for taking him on a ride-a-long and tour of Fire Station 1. He spoke about the hard work and challenges the social workers in the Paramedicine Program faced during the pandemic and the need to expand the program. Mr. J. Brown recognized Neighborhood Resource Officer Brandon Muravchick, Assistant Chief Brian Maynard, Commander Kevin Metcalf, and other community partners for hosting Winburn Public Safety Day. He thanked Ms. Baxter for inviting him to participate in her Neighborhood District Meeting.

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Ms. Lamb remarked that the current meeting was the Council's last virtual meeting and stated her excitement to return to in-person meetings next week. She expressed gratitude to the government employees who worked hard to ensure continuity of services.

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Mr. Worley addressed discussion had at Tuesday's Work Session regarding parliamentary rules and read Appendix A - Rules and Procedures of the Lexington-Fayette Urban County Council Section 4.303. Mayor Gorton commented on the challenges of virtual teleconference.

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Ms. Bledsoe thanked the Council for their efforts in the Budget process, particularly during the pandemic. She announced that the Southland baby pool would be closed through the weekend due to repairs. Ms. Bledsoe spoke about Rubicon Global’s decision to move their headquarters to their new office in Lexington.

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Ms. Baxter thanked Mr. J. Brown, Commander Metcalf, and Officer Bige Towery for attending and participating in her district’s Public Safety Meeting.

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Mayor Gorton reminded the public that the Council would return to in-person meetings on June 15th, and noted that public comments would be conducted in-person as well. Mayor Gorton welcomed everyone back to the Council Chambers, and thanked Deputy Council Clerk Samantha Coleman for staffing the meeting.

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Mr. Ellinger jovially stated he would miss the virtual teleconference format.

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Upon motion by Mr. Ellinger, seconded by Ms. Reynolds, and approved by unanimous vote, the meeting adjourned at 7:52 p.m.

Deputy Clerk of the Urban County Council