

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky December 6, 2022

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on December 6, 2022 at 5:00 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the Council: Lamb, LeGris, McCurn, Plomin, Reynolds, Sheehan, Worley, Elliott Baxter, Bledsoe, F. Brown, J. Brown, Ellinger, Kay, and Kloiber. Absent was Council member Moloney.

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

Ordinances No. 130-2022 through 132-2022, inclusive, and Resolutions No. 637-2022 through 660-2022, inclusive, were reported as having been signed and published and ordered to record.

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The Invocation was given by Kory Wilcoxson, Senior Minister of Crestwood Christian Church.

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Upon motion by Mr. McCurn, seconded by Vice Mayor Kay, and approved by unanimous vote, the Minutes of the November 17, 2022 Council Meeting were approved.

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Anne Gay Donworth, Development Officer of the Lexington Public Library, Heather Dieffenbach, Executive Director of the Lexington Public Library, and Ramsey Bova, Co-Chair of the Lexington Public Library Foundation Board of Directors, recognized the Council for their support of the Lexington Public Library in honor of National Philanthropy Day.

Ms. Dieffenbach shared some of the projects that were made possible by the American Rescue Plan Act Funds provided by Council, which included the Marksbury Family Branch.

Vice Mayor Kay accepted the award on behalf of the Council.

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Mayor Gorton asked Nathan McPeck, Head Coach of the Frederick Douglass High School Football Team, to join her at the podium, along with members of the Frederick

Douglass High School Broncos football team, and read a Proclamation declaring December 6 2022 as Frederick Douglass Football State Champion’s Day in Lexington. She awarded each member and coach of the team with a “Spirit of Lexington” certificate.

Coach McPeek spoke of the players’, coaches’, and staff members’ hard work during the 2022 season, noting their undefeated record, and sharing the team ranks in the top 50 nationally.

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Upon motion by Ms. Lamb, seconded by Mr. J. Brown, and approved by unanimous vote, Public Comment was moved up to occur after Presentations.

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Joe Markham, who owned rental units in the 1st District, 2nd District, 3rd District, and the 11th District, spoke in opposition of the Tenant’s Bill of Rights.

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Frank Harris spoke in opposition of the Automatic License Plate Reader Program (Flock cameras).

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Clay Davis, 8th District, spoke in opposition of the Flock cameras.

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Miranda Hinchman, 4th District, spoke in opposition of the Tenant’s Bill of Rights.

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Reva Russell English, 1st District, spoke in opposition of Flock cameras and in support of the Tenant’s Bill of Rights.

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Lexington Police Sergeant Tyson Carroll, 3rd District, spoke in support of the Flock Cameras about the work he had done with them in his capacity as a Sergeant.

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Andrew Russell English, 1st District, spoke in opposition of the Flock cameras.

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Lamontae Shively, 1st District, spoke in favor of the Tenants Bill of Rights.

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Amber Duke, Interim Executive Director, of the ACLU of Kentucky, spoke for the ACLU's opposition of the Flock cameras.

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Emma Anderson, 5th District, spoke in support of the Tenant's Bill of Rights.

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Asan Gatewood, 2nd District, spoke in support of the Tenant's Bill of Rights.

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Stephanie Hensley, 5th District, spoke in support of the Tenant's Bill of Rights.

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Davita Gatewood, 1st District, spoke in support of the Tenant's Bill of Rights.

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Lola Cox, 3rd District, spoke in support of the Tenant's Bill of Rights.

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James Woodhead, 10th District, spoke in support of the Tenant's Bill of Rights and in opposition to the Flock cameras.

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Liane Woodhead, 10th District, spoke in support of the Tenant's Bill of Rights and in opposition to the Flock cameras.

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Dottie Bean, 8th District, spoke about homelessness prevention, and the 2022 Consolidated Grants Plan.

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Lukas Bollock, 3rd District, spoke in support of the Tenant's Bill of Rights.

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Jess Bowman, 9th District, spoke in opposition to the Flock cameras and in favor of the Tenant's Bill of Rights.

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Nick Lyell, 5th District, spoke in support of the Tenant's Bill of Rights.

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Lexington Police Detective Dave Collins, 9th District, spoke in favor of the Flock cameras and thanked the Council for their support of the Lexington Police Department.

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Lexington Police Detective in the Auto Crimes Unit Joe Holland spoke in support of Flock cameras.

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Dan Pack, 1st District, spoke in opposition of the Flock cameras.

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Adrian Williams, 3rd District, spoke in support of the Tenant’s Bill of Rights.

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April Taylor, 1st District, spoke in opposition of the Flock cameras and in support of the Tenant’s Bill of Rights.

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Tayna Fogle, 1st District, shared her excitement for the Frederick Douglass High School football team’s accomplishment and spoke in favor of the Tenant’s Bill of Rights.

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At 6:53 p.m., the meeting stood at recess.

At 6:58 p.m., the meeting reconvened with the same persons present.

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Katherine Smith, 1st District, spoke in support of the Tenant’s Bill of Rights.

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Blake Standafer, 3rd District, spoke in support of the Tenant’s Bill of Rights.

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Matt Heil, 1st District, spoke in support of the Tenant’s Bill of Rights.

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John Winstead, 1st District, spoke in support of Tenant’s Bill of Rights.

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Rebecca Milto, 5th District, spoke in support of the Tenant’s Bill of Rights.

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Emily Jackson, 3rd District, spoke in support of the Tenant’s Bill of Rights.

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Casey Lyons, 5th District, spoke in support of the Tenant’s Bill of Rights.

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Andrea Zang, 3rd District, spoke in support of the Tenant's Bill of Rights and in opposition of the Flock cameras.

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Dennis Chaney, 5th District, spoke in support of the Tenant's Bill of Rights.

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Nolan Adams, 8th District, spoke in support of the Tenant's Bill of Rights.

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Leslie Whaley, 4th District, spoke in support of the Tenant's Bill of Rights and in support of landlord's rights.

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Beau Revlett spoke in support of the Tenant's Bill of Rights.

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Freida Downey spoke in support of the Tenant's Bill of Rights.

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Upon motion by Ms. Reynolds, seconded by Mr. Ellinger, and approved by unanimous vote, an Ordinance amending Articles 8-5(A), 8-9(A), 8-10(A), 8-11(A), 8-12(A), 8-13(A), 8-14(A), 8-15(A), 8-16(A), 8-17(A), 8-18(A), 8-19(A), 8-20(A), 8-21(A), 8-22(A), 8-23(A), 8-24(A), 10-1, 11-1, 22-1, 22a-1, 22b-1, 23a-5(A), 23a-6(A), 23a-7(A), 23a-8(A), 23a-9(A) and 23a-10(A) of the Zoning Ordinance to update the intent statement for various zoning categories to more clearly align with the Adopted Comprehensive Plan was removed from Second Reading of Ordinances and placed into the General Government and Planning Committee.

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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: Lamb, LeGris, McCurn, Plomin, Reynolds, -----14
Sheehan, Worley, Baxter, Bledsoe, F.
Brown, J. Brown, Ellinger, Kay, Kloiber

Nay: -----0

An Ordinance changing the zone from a Wholesale and Warehouse Business (B-4) zone to a Light Industrial (I-1) zone for 2.3827 net (2.5584 gross) acres, for property located at 101 and 109 W. Loudon Avenue. (Northyard, LLC; Council District 1).

An Ordinance changing the zone from a Two Family Residential (R-2) zone to a High Density Apartment (R-4) zone, for 1.089 net (1.346 gross) acres, for property located at 530 East High St. (Winterwood, Inc.; Council District 3).

An Ordinance expanding and extending the Full Urban Services District #1 for the Urban County Government for the provision of street lighting, street cleaning, and garbage and refuse collection, to include the area defined as certain properties on the following streets: Bay Springs Park; Buttermilk Rd.; Case Way; Cattle Path; Feathersound Way; Foster Dr.; Hailey Rose Way; Hollow Creek Rd.; Huntly Place; Night Heron Way; Silver Springs Dr.; Squires Circle; Squirrel Nest Ln.; Stolen Horse Trace; and Tanksley Way.

An Ordinance expanding and extending Partial Urban Services District #3 for the Urban County Government for the provision of garbage and refuse collection, to include the area defined as certain properties on the following streets: Cocos Way; Silver Springs Circle; Silver Springs Way; Waldorf Ln.; and William Astor Ln.

An Ordinance expanding and extending Partial Urban Services District #5 for the Urban County Government for the provision of street lighting and garbage and refuse collection, to include the area defined as certain properties on the following streets: Lansdowne Dr.; Vicksburg Rd.; and Wedgewood Court.

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to reflect current requirements for funds in the amount of \$70,000 to provide funds for Council Capital Projects in the Div. of Parks and Recreation and Div. of Environmental Services and appropriating and re-appropriating funds, Schedule No. 23.

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 2023 Schedule No. 21.

An Ordinance amending Section 22-52.1 of the Lexington Fayette Urban County Government Code of Ordinances, related to Constables, establishing the amount of the bond to be provided by Constables and Deputy Constables; providing that Constables may not appoint Deputy Constables unless authorized to do so by the Mayor and subject to any standards established by the Mayor; requiring the timely filing of the monthly activity report required by KRS 70.430; prohibiting Constables and Deputy Constables

from equipping vehicles with certain emergency equipment and establishing a penalty for violation; and amending Section 22-55.1 of the Code of Ordinances, related to local Constitutional Officers, to increase the amount of the bond that must be provided by a Constable to \$25,000; all effective January 1, 2023.

An Ordinance amending and restating Ordinance No. 51-2017, which created the Public Infrastructure Program, in its entirety, and providing for its purpose, program fund protections, priorities, limitations, criteria, an application process, administration by the Mayor's Chief Development Officer with oversight by the Economic Development Investment Board, and a Program Fund; all effective upon date of passage.

An Ordinance amending Ordinance No. 203-80, as previously amended, relating to the Economic Development Investment Board, to include oversight over the Lexington Public Infrastructure Program, with final approval of funding to be made by the Urban County Council.

An Ordinance amending the authorized strength by abolishing one (1) vacant unclassified position of Engineering Technician, Grade 515N, and restoring funding for one (1) classified position of Municipal Engineer Sr., Grade 528E, all in the Div. of Engineering, effective upon passage of Council.

An Ordinance providing that all full time and part time employees included in the unified pay plan shall receive a three percent (3.0%) pay increase; providing that sections 21-29(b) and 22-26(b) notwithstanding, all employees at or above the maximum of the grade salary range shall receive a three percent (3%) pay increase; amending Section 23-32(d) of the Code of Ordinances increasing the existing step structure for the positions of Police Chief, Grade 324E, and Fire Chief, Grade 324E, by three percent (3%) and adjusting the salaries accordingly; and increasing the salary by three percent (3%) for three (3) positions of Law Clerk - P\T, within the Dept. of Law; one (1) position of Council Administrator within the Office of the Urban County Council; and one (1) position of Park Patrol Coordinator - P/T, within the Div. of Parks and Recreation, all to become effective on January 2, 2023.

An Ordinance providing a one-time supplement payment for full-time non-bargaining employees included in the unified pay plan, including the Council Administrator, as follows: a one thousand dollar (\$1,000) payment for eligible employees

making seventy five thousand dollars (\$75,000) or less per year; a seven hundred and fifty dollar (\$750) payment for eligible employees making more than seventy five thousand dollars (\$75,000) but less than or equal to one hundred thousand dollars (\$100,000) per year; a five hundred dollar (\$500) payment for eligible employees making more than one hundred thousand dollars (\$100,000) but less than or equal to one hundred and twenty five thousand dollars (\$125,000) per year; and a two hundred and fifty dollar (\$250) payment to eligible employees making more than one hundred and twenty five thousand dollars (\$125,000) per year, effective upon passage of Council.

An Ordinance amending Section 2-3.2 in Chapter 2 of the Code of Ordinances of the Lexington Fayette Urban County Government to establish procedures and guidelines for redistricting Council Districts.

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to provide \$1,000,000 for the Jefferson Street Viaduct Project and appropriating and re-appropriating funds, Schedule No. 24.

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An Ordinance amending the authorized strength by creating twenty one (21) sworn positions of Firefighter, Grade 311N, in the Div. of Fire and Emergency Services, effective upon passage of Council received first reading.

Upon motion by Mr. Ellinger, seconded by Mr. Worley, and approved by unanimous vote, the rules were suspended and the ordinance received second reading.

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

Aye: Lamb, LeGris, McCurn, Plomin, Reynolds, -----14
Sheehan, Worley, Baxter, Bledsoe, F.
Brown, J. Brown, Ellinger, Kay, Kloiber

Nay: -----0

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An Ordinance amending the authorized strength by creating one (1) Classified Civil Service Position of Chief Plant Operations Manager, Grade 527E, in the Div. of Water Quality, effective upon passage of Council received first reading.

Upon motion by Mr. Ellinger, seconded by Mr. Worley, and approved by unanimous vote, the rules were suspended and the ordinance received second reading.

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

Aye: Lamb, LeGris, McCurn, Plomin, Reynolds, -----14
Sheehan, Worley, Baxter, Bledsoe, F.
Brown, J. Brown, Ellinger, Kay, Kloiber

Nay: -----0

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The following ordinances received first reading and were ordered to be placed on file for public inspection until January 19, 2023:

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to reflect current requirements for funds in the amount of \$76,279 to provide funds for Council Capital Projects in the Div. of Parks and Recreation and Dept. of Environmental Quality and Public Works and appropriating and re-appropriating funds, Schedule No. 25.

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to provide funds for Grant match and establish Grant Budgets from Ky. Div. of Emergency Management, and appropriating and re-appropriating funds, FY 2023 Schedule No. 26.

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A Resolution authorizing the Div. of Police to purchase Automatic License Plate Reader Program from Flock Group Inc., a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Flock Group Inc., related to the procurement, at a cost not to exceed \$236,250 received second reading.

Upon motion by Vice Mayor Kay, seconded by Mr. Ellinger, and approved by majority vote (Mr. Fred Brown voted no) the item was separated for the question.

Ms. Lamb asked that before the Flock Cameras are installed, a presentation be made to the Council about the efficacy of the Automatic License Plate Reader Program. She noted the concerns that were shared during public comment, but expressed that she thought the program was a good tool for law enforcement.

Vice Mayor Kay stated that his reasoning for voting against the resolution was his concern about the lack of evaluation of the Automatic License Plate Reader Program.

Mr. Ellinger asked whether the Flock cameras would be owned by LFUCG or if they were being leased.

Commander Matthew Greathouse, Div. of Police, responded that the cameras would be leased and need to be funded again in FY 2024.

Ms. Sheehan asked for confirmation that a presentation was going to be made about the efficacy of the Flock cameras before they were installed. Commander Greathouse responded.

Ms. LeGris shared that she had questions about the Flock cameras that had gone unanswered at the previous Council Work Session to which she attributed her “no” vote. She expressed that she looked forward to receiving more information about the cameras.

Mr. J. Brown explained that it would be best to continue to communicate with the public after the proposed presentation on the Flock cameras.

Mr. Kloiber reiterated the need for more information before the Automatic License Plate Reader Program was expanded.

Upon motion by Mr. Worley, and seconded by Mr. J. Brown, the resolution was approved by the following vote:

Aye: Lamb, McCurn, Plomin, Sheehan, Worley, -----10
Elliott Baxter, Bledsoe, F. Brown, J.
Brown, Ellinger,

Nay: LeGris, Reynolds, Kay, Kloiber -----4

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

Aye: Lamb, LeGris, McCurn, Plomin, Reynolds, -----14
Sheehan, Worley, Elliott Baxter, Bledsoe,
F. Brown, J. Brown, Ellinger, Kay, Kloiber

Nay: -----0

A Resolution ratifying the Permanent Classified Civil Service Appointments of: Charles Sayre, Engineering Technician, Grade 515N, \$21.000 hourly in the Div. of

Engineering, effective December 13, 2022, Michael Cravens, Managing Attorney, Grade 534E, \$4,151.12 biweekly in the Dept. of Law, effective November 9, 2022, Evan Thompson, Attorney Sr., Grade 530E, \$3,361.65 biweekly in the Dept. of Law, effective November 9, 2022, Norman Sinclair, Public Service Manager, Grade 522E, \$2,301.92 biweekly in the Div. of Parks and Recreation, effective November 9, 2022.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with the Fayette County Board of Education for space to host the Extended School Programs and the Recreational Enrichment and Learning Programs for the 2022-2023 school year, at a cost not to exceed \$58,500.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with James R. Kemper for property located at 951 Enterprise Dr. for Div. of Water Quality maintenance operations, for an initial term of 36 months with annual rent not to exceed \$93,262.44 in FY 2023 and subsequent increases of two percent (2.00%) annually thereafter.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a First Amendment to American Rescue Act of 2021 Subrecipient Agreement with Community Action Council for Lexington Fayette, Bourbon, Harrison, and Nicholas Counties, Inc., for the operation of Expanded Intensive Street Outreach Services, at a cost not to exceed \$449,162.55.

A Resolution authorizing and directing the Mayor, or her designee, on behalf of the Urban County Government, to execute a Letter of Intent with ETJ Holdings Incorporated, for the purchase of 5.58 acres of the Coldstream Research Campus, for the amount of \$1,155,000, and authorizing the Mayor to execute a Purchase and Sale Agreement that materially complies with the Letter of Intent, as well as all other necessary and related documents, and authorizing other necessary actions related to the transfer of property.

A Resolution rescinding Resolution No. 566-2022 and in its place, resolving to authorize the Mayor, on behalf of the Urban County Government, to execute an Agreement with Community Action Council for Lexington Fayette, Bourbon, Harrison and Nicholas Counties, Inc., to serve as Grants Administrator and/or Fiscal Agent for the ONE Lexington Gun Violence Prevention Grant Program for FY2023, at a total cost not to exceed \$100,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Drug Enforcement Administration, for participation in the Tactical Diversion Squad Task Force.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Drug Enforcement Administration, for participation in the Program Funded State & Local Task Force.

A Resolution authorizing and directing the Mayor to execute a Memorandum of Understanding with CASA of Lexington, Inc., Fayette County Family Courts and the Fayette County Attorney's Office, for the provision of statutorily required services for children who enter the Fayette Court System as a result of dependency, neglect and/or abuse.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a lease Agreement with FRM Lawson LLC for property located at 900 Enterprise Dr. for Div. of Water Quality Maintenance Operations, for an initial term of 48 months with annual rent not to exceed \$201,286.08.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a License Agreement with Transylvania University to host the annual Kiddie Kapers Holiday Show at the Haggin Auditorium, at a cost not to exceed \$1,300.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the first Amendment to Agreements with Commerce Lexington, Inc., reallocating \$142,000 from the Accelerate Lexington Program (created pursuant to Resolution No. 708-2021) to further fund the Regional Economic Development Collective (created pursuant to Resolution No. 43-2022), at no additional cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Extension of Agreement with University of Ky. Research Foundation, in order to extend the period of performance for Year 4 of the First Responders and Community Partners Overdose Prevention Project Grant to December 30, 2022.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an extension of Agreement with Lexington Fayette County

Health Dept. in order to extend the period of performance for Year 4 of the First Responders and Community Partners Overdose Prevention Project Grant to December 30, 2022.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the University of Ky. Research Foundation (UKRF), for the provision of evaluation services for Year One of the Expanded First Responders and Community Partners Overdose Prevention Project, at a cost not to exceed \$99,997.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. Five (5) to the Agreement with CDP Engineers, Inc., for additional design services of the Town Branch Trail Phase III Project, increasing the contract price by the sum of \$86,000 for a new contract total of \$223,880.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two (2) to the Agreement with Gresham Smith for design services for Splash! at Charles Young Park, increasing the contract price by \$12,300 and raising the total contract price from \$182,000 to \$194,300.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two (2) to the Agreement with Pace Contracting for the Splash! at Charles Young Park Construction Project, increasing the contract price by \$49,447.95 and raising the total contract price from \$1,411,863.18 to \$1,461,311.13.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant application to the Ky. Office of Homeland Security, and to provide any additional information requested in connection with this Grant Application, which seeks up to \$387,094 in federal funds from the Law Enforcement Protection Program to purchase body armor kits for all sworn officers.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. Three (3) to the Professional Services Agreement with CDP Engineers, Inc., for services related to the Clays Mill Rd. Section 1 Improvements, increasing the contract price by the sum of \$26,542 for a new contract total of \$884,001.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with HDR Engineering, Inc. for design of Citation Boulevard Phase III B, pending approval by the Ky. Transportation Cabinet (KYTC) Letter Agreement (No. 3), at a cost not to exceed \$249,802.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a renewal Agreement with Anthem Health Plans of Ky., Inc., for administrative services, rates and fees within the agreement, for the period beginning January 1, 2023 through December 31, 2023.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement (RFQ No. 37-2022), to be paid with funds awarded under the American Rescue Plan Act of 2021 (ARPA), with Strand Associates, Inc., for design engineering services for the Brighton Trail Connection, at a cost not to exceed \$103,652, and further authorizing the Mayor to execute any other necessary amendments, addenda, or other documents related to these funds.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a modification to an Agreement with the Lexington Children's Museum, d/b/a Explorium of Lexington, to amend the Budget and extend the period of performance through July 15, 2023.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a direct re allocation of Federal Emergency Rental Assistance Grant funds from the U.S. Treasury, in an amount not to exceed \$30 million, and further authorizing the Mayor to execute any necessary Subrecipient Agreement(s) and/or amendments thereto, with Community Action Council ("CAC") and Legal Aid of the Bluegrass, as needed for the continued operation of the Housing Stabilization Program.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute two (2) Agreements with Saint Joseph Health System, Inc., for the use of space in Saint Joseph Health System's Emergency Room as a clinical practice area for the Sexual Assault Nurse Examiner (SANE) program in FY 2023, at a cost not to exceed \$3,000, and for the storage of forensic evidence examples collected in conjunction with the SANE program.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Tyler Technologies, for mobile client software, at a cost not to exceed \$38,420.

A Resolution amending the following Sections of Appendix A, Rules and Procedures of the Lexington Fayette Urban County Council: Section 1.102 to update the initial term of appointment for certain Council Office staff; Section 3.103 to update the time and manner of introduction; Section 4.103 to remove a redundant clause; and Section 4.104 to update the Order of Business; and creating Part Seven (7) of the Rules to formally adopt the Council Capital Project Expenditure Policy, effective upon passage of Council.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements related to Neighborhood Development Funds with Bluegrass Families First, Inc. (\$500), Meadowthorpe Elementary PTA Inc. (\$500), the Woodward Lander Homeowner's Association, Inc. (\$500), Carnegie Literacy Center, Inc. (\$700), I Was Here Inc. (\$700), Chevy Chase Business Owners Association Corporation (\$1,000), and United Way of the Bluegrass, Inc. (\$1,150), for the Office of the Urban County Council, at a cost not to exceed the sums stated; and authorizing approved Neighborhood Development Fund allocations to the Div. of Parks and Recreation (\$300 and \$728), pending completion and approval of any necessary Budget amendments.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to two Agreements with Commerce Lexington, Inc., reallocating \$36,860 from one Agreement (authorized by Resolution No. 235-2021 and amended pursuant to Resolution No. 402-2021) related to the LFUCG Small Business Economic Recovery Program to provide additional funding for minority business development services contained within the other Agreement (authorized by Resolution No. 402 2022), at no additional cost to the Urban County Government.

A Resolution specifying the intention of the Urban County Council to expand and extend the Full Urban Services District #1 to provide street lighting, street cleaning, and garbage and refuse collection; finding a need for this service in the area included; and finding the ability of the Urban County Government to provide this service in this area, which area is defined as certain properties on the following streets: Armature Court, Ash

Rapids, Bay Springs Park, Beaumont Centre Circle, Bryant Rd., Cattle Path, Cordele Ln., Cravat Pass, Crocus Court, Danby Woods Dr., Elizabeth St., Estrella Dr., Greendale Rd., Harrington Court, Harrodsburg Rd., Hemp Hill Dr., Industry Rd., Innovation Dr., Larch Tree Park, Leestown Rd., Liberty Rd., Loblolly Court, Mable Ln., Madison Point Dr., Magnolia Springs Dr., Malone Dr., Marbella Ln., Mill Ridge Rd., Mooncoin Way, Mulundy Way, Newtown Court, Newtown Springs Dr., Nicholasville Rd., Old House Rd., Old Mt Tabor Rd., Old Rosebud Rd., Old Schoolhouse Ln., Parker Meadows, Peaks Mill Dr., Real Quiet Ln., Rosette Way, Roundway Down Ln., Russell Cave Rd., Rutledge Ave., Sandersville Rd., Silver Charm Ln., Sorrell Way, Spurr Rd., St. Andrews Walk, Stolen Horse Trace, Strasburg Park, Sullivans Trace, Sundollar Cove, Tracery Oaks Dr., Vincent Way, Waveland Museum Ln., Wilson Downing Rd., and Winning Colors Ln.

A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #3 to provide garbage and refuse collection; finding a need for this service in the area included; and finding the ability of the Urban County Government to provide this service in this area, which area is defined as certain properties on the following streets: Bobwhite Trail, Branham Park, Browning Trace, Burning Tree Circle, Castlebridge Ln., Crusaders Way, Dundee Court, Flying Ebony Dr., Glasford Square, Goldon Trophy Trail, Grassland Park, Griffin Gate Dr., Harmony Hall Ln., Kelburn Court, Knightsbridge Ln., Laredo Court, Liberty Rd., Lorenzo Place, Patchen Lake Ln., Ryan Circle, Somersly Place, Tatton Park, Walkers Way, and Wentworth Place.

A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #4 to provide street lighting; finding a need for this service in the area included; and finding the ability of the Urban County Government to provide this service in this area, which area is defined as certain properties on the following streets: Betty Hope Ln., Crescent Ave., Glade Ln., and Maura Trace.

A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #5 to provide street lighting and garbage and refuse collection; finding a need for this service in the area included; and finding the ability of the Urban County Government to provide this service in this area, which area is defined as certain properties on the following streets: Audubon Ave., Blue Bonnet Court, Blue Bonnet

Dr., Bracktown Rd., Bradley Ln., Dantzler Court, Floral Park, Forest Park Rd., Literary Circle, Potomac Dr., State St., University Ave., and Waterview Court.

A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #6 to provide street lighting and street cleaning; finding a need for this service in the area included; and finding the ability of the Urban County Government to provide this service in this area, which area is defined as certain properties on the following streets: Agape Dr. and Palomar Trace Dr.

A Resolution accepting a Memorandum of Agreement between the Lexington Fayette Urban County Government and the American Federation of State, County & Municipal Employees, Local 2785, representing the Corrections Lieutenants and Captains, in the Div. of Community Corrections, to increase base pay and address retention issues.

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to approve and adopt Substantial Amendments to the 2017, 2019, and 2020 Annual Action Plans, in order to reallocate Federal Community Development Block Grant funds in the amount of \$150,000 to a new project, which will provide financial assistance to low income renter household was on the docket to receive first reading.

At 8:26 p.m., Mayor Gorton declared open a public hearing and invited public comment.

At 8:27 p.m., with no one appearing to speak, Mayor Gorton declared the public hearing closed.

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

Upon motion by Mr. Worley, and seconded by Ms. Elliott Baxter, the resolution was approved by the following vote:

Aye: Lamb, LeGris, McCurn, Plomin, Reynolds, -----14
Sheehan, Worley, Elliott Baxter, Bledsoe,
F. Brown, J. Brown, Ellinger, Kay, Kloiber

Nay: -----0

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Upon motion by Mr. McCurn, seconded by Vice Mayor Kay, and approved by unanimous vote, a Resolution authorizing and directing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute an Agreement with the Lexington Distillery District Foundation, Inc., for consultation services related to beautification and streetscape improvements on public property within the Distillery District, at no additional cost to the Urban County Government received first reading.

Upon motion by Mr. McCurn, seconded by Vice Mayor Kay, and approved by majority vote (Mr. Fred Brown voted no), the rules were suspended and the resolution received second reading.

Upon motion by Mr. Worley, and seconded by Ms. Elliott Baxter, the resolution was approved by the following vote:

Aye: Lamb, LeGris, McCurn, Plomin, Reynolds, -----14
Sheehan, Worley, Elliott Baxter, Bledsoe,
F. Brown, J. Brown, Ellinger, Kay, Kloiber

Nay: -----0

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Assignment and Assumption Agreement with Materialise USA LLC and Identify3d, Inc., related to the jobs fund program, to assign the incentive Agreement with Identify3d, Inc. to Materialise USA LLC, at no additional cost to the Urban County Government received first reading.

Upon motion by Mr. McCurn, seconded by Ms. Elliot Baxter, and approved by unanimous vote, the rules were suspended and the resolution received second reading.

Upon motion by Mr. Worley, and seconded by Ms. Elliot Baxter, the resolution was approved by the following vote:

Aye: Lamb, LeGris, McCurn, Plomin, Reynolds, -----14
Sheehan, Worley, Elliott Baxter, Bledsoe,
F. Brown, J. Brown, Ellinger, Kay, Kloiber

Nay: -----0

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A Resolution accepting a Memorandum of Agreement between the Lexington Fayette Urban County Government and the Lexington Professional Firefighters IAFF Local 526, representing the Firefighters, Lieutenants and Captains, in the Dept. of Fire

and Emergency Services, to increase base pay and address retention issues received first reading.

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

Upon motion by Mr. Worley, and seconded by Ms. Elliott Baxter, the resolution was approved by the following vote:

Aye: Lamb, LeGris, McCurn, Plomin, Reynolds, -----14
Sheehan, Worley, Elliott Baxter, Bledsoe,
F. Brown, J. Brown, Ellinger, Kay, Kloiber

Nay: -----0

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The following resolutions received first reading.

Upon motion by Mr. McCurn, seconded by Vice Mayor Kay, and approved by unanimous vote, the rules were suspended and the resolutions received second reading.

Upon motion by Mr. Worley, and seconded by Ms. Elliott Baxter, the resolutions were approved by the following vote:

Aye: Lamb, LeGris, McCurn, Plomin, Reynolds, -----14
Sheehan, Worley, Elliott Baxter, Bledsoe,
F. Brown, J. Brown, Ellinger, Kay, Kloiber

Nay: -----0

A Resolution accepting the bid of Perdue Environmental Contracting Co., Inc., in the amount of \$666,639.74, for improvements at Former Jacks Creek Pike Landfill, for the Div. of Environmental Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Perdue Environmental Contracting Co., Inc., related to the bid.

A Resolution ratifying the Permanent Classified Civil Service Appointments of: Greta Cole, Administrative Specialist Sr., Grade 518N, \$23.673 hourly in the Div. of Revenue, effective December 6, 2022, Gretchen Olivera, Revenue Compliance Analyst, Grade 518N, \$23.354 hourly in the Div. of Revenue, effective December 20, 2022, Andrelle Williams, Revenue Compliance Analyst, Grade 518N, \$23.369 hourly in the Div. of Revenue, effective December 6, 2022, Daniel Layne, Administrative Specialist, Grade 516N, \$21.210 hourly in the Div. of Revenue, effective November 23, 2022, Terri Thomas,

Accounting Technician, Grade 509N, \$16.980 hourly in the Div. of Accounting, effective December 6, 2022.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Letter Agreement (awarded pursuant to RFP No. 32-2022) with JP Morgan Chase Bank, N.A., for merchant services and electronic bill presentment and payment services to expand credit card and online payment options, for the Div. of Revenue, at a cost not to exceed \$19,409.60.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Release of Claims Agreement with Detective Kelly Shortridge, for care of retired Canine Bodhi.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Cell Tower Lease Agreement with CellCo Partnership d/b/a Verizon Wireless, for ground and air space at Deer Haven Park for placement of tenant's communication facility.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement (RFP No. 58-2022) with the Walker Collaborative, LLC, for a study of the Urban County Government's planning and development approval processes, at a cost not to exceed \$135,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Bureau of Alcohol, Tobacco, Firearms and Explosives, for joint investigations.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Letter of Agreement and any related deeds with the United States Dept. of the Army, for the amendment of easements on the property located at 2250 Leestown Rd. (f/k/a 151 Vo Tech Rd.), to extend the term of existing sanitary sewer easements on the property for a period of fifty (50) years, at a cost not to exceed \$4,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Professional Services Agreements with each selected crisis response mediator, in order to implement the ONE Lexington Neighborhood Crisis Response Model, with each Agreement not to exceed a cost of \$2,000 in FY2023.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Services Agreement (awarded pursuant to RFP 60-2022) with GRW Engineers, Inc., for South Elkhorn Pump Station Odor Control Upgrade Evaluation Services, for the Div. of Water Quality, at a cost not to exceed \$72,330.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Lexington Fayette County Health Dept. for the Expanded First Responders and Community Partners Overdose Prevention Project, funded under the U.S. Dept. of Health and Human Services First Responders Comprehensive Addiction and Recovery Act Grant, at a cost not to exceed \$237,500.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the University of Kentucky Research Foundation (UKRF) for the provision of evaluation services for the Barrier Free Re Entry and Recovery Initiative (BFREE) under the U.S. Dept. of Health and Human Services, Substance Abuse and Mental Health Service Administration from the Consolidated Appropriations Act, 2022, at a cost not to exceed \$44,927.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Three (3) to the agreement with Pace Contracting for the Splash! at Charles Young Park Construction Project, increasing the Contract price by \$18,737.02 and raising the total Contract price from \$1,461,311.13 to \$1,480,048.15.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute agreements related to Neighborhood Development Funds with the Lexington Hearing and Speech Center, Inc. (\$2,700); Tee Dee Young Enterprise LLC (\$2,700); the Lexington History Museum, Inc. (\$3,000); Lexington Fashion Collaborative, Inc. (\$3,000); 16th District PTA Inc. c/o Arlington Elementary (\$200); Bluegrass Families First, Inc. (\$250); Georgetown Street Area Neighborhood Association Inc. (\$250); Highlands Neighborhood Association, Inc. (\$500); McConnell's Trace Neighborhood Association, Inc. (\$300); and Wilderness Rd. Girl Scout Council, Inc. (\$500), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements related to Council Capital Project Expenditure

Funds with Seedleaf, Inc. (\$25,000) and Divine Providence, Inc. (\$28,721) for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept an additional award of \$178,492.56 in Federal funds, awarded by the Ky. Div. of Emergency Management, in order to upgrade the transmission site at Crawford Middle School, purchase a mobile siren deployment trailer, and purchase six outdoor warning siren chargers, the acceptance of which obligates the Urban County Government to the expenditure of \$89,246.28 as a local match, authorizing the Mayor to execute any necessary Agreements related to these Federal funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget

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Upon motion by Ms. Elliott Baxter, and seconded by Vice Mayor Kay, the Communications from the Mayor (Appointments) were approved by unanimous vote and were as follows: (1) Recommending the appointment of Janet Beard, replacing Anne Carter, to the Affordable Housing Governing Board, with term expiring October 23, 2026; (2) Recommending the reappointment of Linda Gorton, Mayoral Seat, to the Agricultural Extension District Board, with term expiring December 31, 2026; (3) Recommending the reappointment of Jamison Barton to the Alarm Advisory Board, with term expiring July 1, 2025; (4) Recommending the term correction of Susan Malcomb, Lexington Humane Society President, Ex officio, non-voting, to the Animal Care and Control Advisory Board with no term expiration; (5) Recommending the reappointment of Hannah LeGris, Mayor's Designee, to the Arboretum Advisory Board, with term expiring December 31, 2024; (6) Recommending the reappointment of Kacy Allen Bryant, Mayor's Designee, to the Board of Health, with term expiring December 31, 2026; (7) Recommending the reappointment of Linda Gorton, Mayoral Seat, to the City Employees' Pension Fund Board, with term expiring December 31, 2026; (8) Recommending the reappointment of Arthur Crosby to the Community Action Council, with term expiring December 31, 2026; (9) Recommending the reappointments of Kevin Atkins, Mayor's Designee, and Hannah LeGris, 3rd District Council Member, to the Downtown Lexington Management Board of Directors, with terms expiring December 31, 2026 and December 31, 2024, respectively; (10) Recommending the reappointment of Sally Hamilton, Mayor's Designee, to the

Housing Authority Board, with term expiring December 31, 2026; (11) Recommending the reappointment of Chris Ford, Mayor's Designee, to the Lyric Theatre and Cultural Arts Center Board of Directors, with term expiring December 31, 2026; (12) Recommending the reappointment of Melissa Lueker, Mayor's Office Representative, to the Neighborhood Action Match Program Review Board, with term expiring December 31, 2026; (13) Recommending the reappointment of Linda Gorton, Mayoral Seat, to the Picnic with the Pops Commission, with term expiring December 31, 2026; (14) Recommending the reappointments of Heather Lyon, Mayor's Office Representative, and Edd Mackey, Licensed Civil Engineer, to the Public Arts Commission, both with terms expiring December 31, 2026; (15) Recommending the reappointment of Jessica Cobb, Commissioner of Health/Designee, to the Senior Services Commission, with term expiring September 1, 2026; and, (16) Recommending the reappointment of Heather Lyons, Mayor's Office Representative, to the Sister Cities Program Commission, with term expiring December 31, 2026.

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Upon motion by Vice Mayor Kay, and seconded by Ms. Elliott Baxter, the Communications from the Mayor (Price Contracts) were approved by unanimous vote and were as follows: (1) Accepting and approving the following bids and establishing price contracts for the following Departments or Divisions as to the specifications and amount set forth in the terms of the respective bids: (a) Div. of Police - ProTech Ballistic Shields 145-2022 - Kiesler Police Supply; (b) Div. of Fire & Emergency Services - Toyota RAV 4 - 148-2022- Frankfort Toyota; and, (c) Div. of Environmental Services - Road, Land and Stream Cleanups -136-2022 - APHIX, LLC, Woodchuck Holding LLC dba Big Beaver Tree Service, Brownfields Development LLC, Dave Leonard Tree Specialists, DT Property Maintenance LLC, Advanced Mulching Technologies, Inc. DBA EcoGro, H & W Concrete LLC, Lexington Landscape & Maintenance LLC, W L Davis Enterprises LLC.

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The following Communications from the Mayor were received for information only: (1) Probationary Classified Civil Service Appointment of Monica Smith, Public Service Worker, Grade 508N, \$16.417 hourly in the Division of Parks and Recreation, effective December 19, 2022; (2) Unclassified Civil Service Appointment to the Office of the Mayor

of Kenneth Payne, Administrative Specialist Sr., Grade 518N, \$26.443 hourly in the Office of the Mayor, effective December 19, 2022; (3) Unclassified Civil Service Appointment to the Office of the Urban County Council of Victoria Cruz-Falk, Aide to Council, Grade 518E, \$2,784.64 biweekly in the Office of the Urban County Council, effective January 3, 2023 (4) Resignation of Corey Barnett, Public Service Worker, in the Div. of Water Quality, effective November 1, 2022; (5) Resignation of Tezman Cole, Public Service Worker, Sr., in the Div. of Streets and Roads, effective November 1, 2022; (6) Resignation of Quierra Black, Telecommunicator Sr., Div. of Enhanced 911, effective November 23, 2022; (7) Resignation of Quinton Welch, Administrative Specialist, Office of the Mayor, effective November 12, 2022; (8) Resignation of Brittany Taylor, Corrections Officer, in the Div. of Community Corrections, effective November 3, 2022; (9) Resignation of David Lewis, Police Officer, in the Div. of Police, effective October 31, 2022; (10) Resignation of Melissa Turner, Social Worker, in the Div. of Family Services, effective November 28, 2022; (11) Resignation of Christina Collins, Attorney, in the Dept. of Law, effective November 18, 2022; (12) Resignation of Jacob Reffitt, Safety Officer, in the Div. of Police, effective November 6, 2022; and, (13) Resignation of Justin Roberts, Police Officer, in the Div. of Police, effective October 31, 2022.

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Ms. Plomin wished all the outgoing members of the Council well and celebrated their tenure with cardboard cutouts of their faces. Vice Mayor Kay warned 5 councilmembers against accidental smacks with the cutouts.

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Ms. Reynolds thanked the outgoing members for their time.

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Mr. McCurn talked about his tenure as 2nd District Councilmember. He thanked his family, his legislative aide Alicia Larmour as well as the city employees. He also thanked his colleagues and his district. He shared a picture of his grandfather, John McCurn, who had also been a Council Member.

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Vice Mayor Kay remarked on his time serving the City of Lexington and thanked everyone he had worked with who he had worked.

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Ms. Bledsoe talked about her tenure serving on the Council. She thanked her family, her constituents, city employees, Public Safety commanders and commissioners, the Council Administrator Stacey Maynard, and her aides over the years. She also thanked CAO Sally Hamilton for her mentorship. She expressed her gratitude for this chapter in her life.

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Mr. Kloiber read the poem, “If” by Rudyard Kipling and shared his hope that it would inspire his colleagues next year.

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Ms. Lamb reflected on her 35 years serving Lexington in various capacities in the city government. She shared some advice that she had learned while working in the government and wished everyone a Merry Christmas and Happy Holidays.

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Mayor Gorton shared her best wishes for the outgoing Council Members.

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Mr. J. Brown initiated a standing ovation for the outgoing Council Members.

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Upon motion by Vice Mayor Kay, seconded by Ms. Lamb, and approved by unanimous vote, the meeting adjourned at 8:57 p.m.

Deputy Clerk of the Urban County Council