

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky July 13, 2023

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on July 13, 2023 at 6:00 p.m. Present were Vice Mayor Wu in the chair presiding, in the absence of Mayor Gorton, and the following members of the Council: Sevigny, Sheehan, Worley, Wu, F. Brown, J. Brown, Ellinger, Elliott Baxter, Fogle, Gray, LeGris, Lynch, Plomin, and Reynolds. Absent was Council Member Monarrez.

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

Ordinances No. 074-2023 through 080-2023, inclusive, and Resolutions No. 372-2023 through 391-2023, inclusive, were reported as having been signed and published and ordered to record.

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The Invocation was given by Rev. Canon Dr. Helen Van Koevering of St. Raphael Episcopal Church.

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An Ordinance redistricting the districts of the Fiscal Court Commissioners, Justices of the Peace (Magistrates), and Constables was on the docket to receive second reading.

Upon motion by Ms. Sheehan, seconded by Ms. Reynolds, and approved by unanimous vote, the ordinance was amended to have an effective date of November 8, 2023.

Mr. Ellinger inquired if the amendment constituted as a material change. Dave Barberie, Dept. of Law, responded.

An Ordinance redistricting the districts of the Fiscal Court Commissioners, Justices of the Peace (Magistrates), and Constables, effective November 8, 2023 received first reading.

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

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

Aye: Sevigny, Sheehan, Worley, Wu, F. Brown, -----14
J. Brown, Ellinger, Elliott Baxter, Fogle,
Gray, LeGris, Lynch, Plomin, Reynolds

Nay: -----0

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

Aye: Sevigny, Sheehan, Worley, Wu, F. Brown, -----14
J. Brown, Ellinger, Elliott Baxter, Fogle,
Gray, LeGris, Lynch, Plomin, Reynolds

Nay: -----0

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to provide funds for purchase orders and pre-paid expenses rolling from FY 2023 into FY 2024, and appropriating and re-appropriating funds, Schedule No. 3.

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 2024 Schedule No. 2.

An Ordinance amending the authorized strength by abolishing one (1) Classified Civil Service Position of Stores Clerk, Grade 509N, and creating one (1) Classified Civil Service Position of Public Service Worker Senior, Grade 510N, in the Div. of Streets and Roads, effective upon the passage of Council.

An Ordinance pursuant to Section 6.12 of the Charter of the Lexington-Fayette Urban County Government to reorganize and restructure a Div., as follows: renaming the Div. of Central Purchasing as the Div. of Procurement and amending the Classified Civil Service authorized strength by abolishing one (1) Classified Civil Service Position of Director of Purchasing, Grade 531E, and creating one (1) Classified Civil Service Position of Director of Procurement, Grade 531E, reclassifying the incumbent, abolishing two (2) Classified Civil Service Positions of Buyer Sr., Grade 521E, and creating two (2) Classified Civil Service Positions of Procurement Officer Sr., Grade 521E, reclassifying the incumbents, abolishing three (3) Classified Civil Service Positions of Buyer, Grade

517E, and creating three (3) Classified Civil Service Positions of Procurement Officer, Grade 517E, reclassifying the incumbents, and transferring one (1) Classified Civil Service Position of Minority Program Coordinator, Grade 525E, and one (1) Classified Civil Service Position of Administrative Specialist, Grade 516N, and the incumbents in those positions, all in the Div. of Procurement; and further amending the Classified Civil Service authorized strength, as follows: creating one (1) position of Revenue Compliance Analyst, Grade 518N, in the Div. of Revenue; creating one (1) position of Computer Analyst, Grade 521E, abolishing one (1) position of Telecommunications Support Specialist, Grade 516N, and abolishing one (1) position of Network Systems Administrator Senior, Grade 524E, all in the Div. of Computer Services; abolishing one (1) position of Skilled Trades Worker, Grade 515N, in the Div. of Streets and Roads; abolishing one (1) position of Administrative Specialist Senior, Grade 518N, in the Dept. of Law; abolishing one (1) position of Administrative Officer, Grade 523E, in the Dept. of Public Safety; creating four (4) positions of Safety Officer, Grade 515N, and one (1) position of Victim's Advocate, Grade 518N, all in the Div. of Police; abolishing one (1) position of Nuisance Control Officer, Grade 515N, and creating one (1) position of Code Enforcement Officer Sr., Grade 518N, all in the Div. of Code Enforcement; creating one (1) position of Grants Manager, Grade 524E, in the Dept. of Social Services; abolishing one (1) position of Public Service Supervisor, Grade 517N, and creating four (4) positions of Vehicle and Equipment Technician Sr., Grade 519N, four (4) positions of Vehicle and Equipment Technician Principal, Grade 521N, seven (7) positions of Heavy Equipment Technician Sr., Grade 521N, and seven (7) positions of Heavy Equipment Technician Principal, Grade 523N, all in the Div. of Facilities and Fleet Management; abolishing one (1) position of Administrative Specialist, Grade 516N, in the Div. of Historic Preservation; creating one (1) position of Affordable Housing Specialist Sr., Grade 522N, in the Div. of Grants and Special Programs; abolishing one (1) position of Trades Worker, Grade 510N, one (1) position of Public Service Manager, Grade 522E, and one (1) position of Information Officer, Grade 518N, all in the Div. of Parks and Recreation; and amending the Unclassified Civil Service authorized strength as follows: abolishing one (1) position of Administrative Specialist Sr., Grade 518N, and one (1) position of Construction Project Administrator, Grade 528E, all in the Office of the Mayor; abolishing one (1) position of

Clinical Services Supervisor, Grade 524E, in the Div. of Community Corrections; abolishing one (1) position of Client Assessment Counselor, Grade 515N, and one (1) position of Juvenile Probation Officer, Grade 517N, all in the Div. of Youth Services; and amending the sworn authorized strength by creating two (2) sworn positions of Firefighter, Grade 311N, in the Div. of Fire and Emergency Services, all effective July 1, 2023; and amending the Classified Civil Service authorized strength by reallocating three (3) Classified Civil Service Positions of Fleet Operations Manager and the incumbents in those positions from Grade 523E to Grade 527E, reallocating three (3) Classified Civil Service Positions of Fleet Operations Supervisor and the incumbents in those positions from Grade 520N to Grade 525N, and reallocating twelve (12) Classified Civil Service Positions of Vehicle and Equipment Technician and the incumbents in those positions and vacant positions from Grade 516N to Grade 517N, all in the Div. of Facilities and Fleet Management, and reallocating one (1) Classified Civil Service Position of Fleet Operations Manager, and the incumbent in that position from Grade 523E to Grade 527E, in the Div. of Fire and Emergency Services, all effective July 3, 2023.

An Ordinance amending the Classified Civil Service authorized strength to include changes resulting from Administrative Review, as follows: abolishing one (1) Classified Civil Service Position of Information Systems Business Analyst, Grade 529E, and creating one (1) Classified Civil Service Position of Enterprise Resource Planning Manager, Grade 529E, retitling the incumbent, in the Div. of Enterprise Solutions; abolishing two (2) Classified Civil Service Positions of Accounting Technician, Grade 510N, and creating two (2) Classified Civil Service Positions of Accounts Payable Assistant, Grade 510N, retitling the incumbents, in the Div. of Accounting; abolishing one (1) Classified Civil Service Position of Program Specialist, Grade 514E, and creating one (1) Classified Civil Service Position of Community Engagement Coordinator, Grade 514E, in the Dept. of Social Services; reallocating three (3) Classified Civil Service Positions of Evidence Technician and the incumbents in those positions from Grade 515N to Grade 516N, in the Div. of Police; and amending the Unclassified Civil Service authorized strength as follows: changing the job classification code of one (1) Unclassified Civil Service Position of Program Specialist and one (1) Unclassified Civil Service Position of Program

Specialist P/T from 4108 to 108, in the Dept. of Social Services, with all changes to be effective November 7, 2022.

An Ordinance amending certain Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$283,165 to provide funds for Council Capital Projects in the Divisions of Streets and Roads, Fire and Emergency Services, Traffic Engineering, and Parks and Recreation, and appropriating and re-appropriating funds, Schedule No. 4.

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

Aye: Sevigny, Sheehan, Worley, Wu, F. Brown, -----14
J. Brown, Ellinger, Elliott Baxter, Fogle,
Gray, LeGris, Lynch, Plomin, Reynolds

Nay: -----0

A Resolution accepting the bid of Office 360, Inc., in the amount of \$41,840, for Intensive Use Chairs, for the Div. of Central Purchasing, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Office 360, Inc., related to the bid.

A Resolution accepting the bid of Nickless Schirmer & Co., Inc., in the amount of \$29,018.27, for Media Equipment, for the Div. of Community Corrections, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Nickless Schirmer & Co., Inc, related to the bid, and pending approval of any necessary Budget amendments.

A Resolution accepting the bid of Marrillia Design and Construction, in the amount of \$4,972,312, for Town Branch Park Access Improvements, for the Div. of Engineering, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Marrillia Design and Construction, related to the bid.

A Resolution accepting the bid of Judy Construction Co., in the amount of \$7,690,000 for the Armstrong Mill/Delong Rd. Pump Station Replacement, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Judy Construction Co., related to the bid.

A Resolution accepting the bids of Bluegrass Contracting Corporation; BMI LLC dba BMI Builds; Advanced Mulching Technologies, Inc. dba EcoGro; Haire Construction, LLC; L-M Asphalt Partners, Ltd. dba ATS Construction; Shunar Concrete & Construction, LLC; Tom Chesnut Excavation & Construction, LLC; and Woodall Construction Co., Inc., of Ky., establishing price contracts for Parks Construction UPC, for the Div. of Parks and Recreation.

A Resolution accepting the bids of Kalkreuth Roofing & Sheet Metal Inc.; Pearce Blackburn Roofing, LLC; the Bri-Den Co., Inc.; and Tri-State Roofing & Sheet Metal Co. of Ky., establishing price contracts for roof repairs and maintenance, for the Div. of Facilities and Fleet Management.

A Resolution ratifying the Permanent Classified Civil Service Appointment of: Daniel Stamper, Safety Specialist, Grade 518N, \$25.285 hourly in the Div. of Streets and Roads, effective June 19, 2023.

A Resolution authorizing and directing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute an Agreement with the Lexington-Fayette Urban County Human Rights Commission (HRC) to support the operating costs of the HRC for Fiscal Year 2024, at a cost not to exceed \$429,870.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Subrecipient Agreement (RFP No. 24-2023) with the Hope Center, Inc., in order to allocate \$300,000 of Federal Grant funds awarded pursuant to the American Rescue Plan Act of 2021 (ARPA) for Progressive Street Outreach Services, and authorizing the Mayor to execute any other necessary Agreements or Amendments with the Hope Center related to the use of these funds.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement related to Council Capital Project Expenditure funds with AVOL Ky., Inc. (\$24,700), for the Office of the Urban County Council, at a cost not to exceed the sum stated.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement related to Council Capital Project Expenditure funds with the Nest - Center for Women, Children and Families (\$3,114), for the Office of the Urban County Council, at a cost not to exceed the sum stated.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Purchase of Service Agreements (awarded pursuant to RFP 26-2022) with Commerce Lexington, Inc. (\$300,000) and Urban League of Lexington-Fayette County, Inc. (\$150,000), to provide economic development services to the community, at a total cost not to exceed \$450,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Immediate Response Spill Technologies, for Hazardous Materials Cost Recovery and Supply Program.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with the Hope Center, Inc., for the Detention Center Recovery Program for a term of one (1) year beginning July 1, 2023, at a cost not to exceed \$228,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Second Amendment to American Rescue Plan 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, to extend the performance period through September 30, 2023, at no additional cost.

A Resolution authorizing and directing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to accept a Grant from the Commission on Fire Protection, Personnel, Standards, and Education, which Grant funds are in the amount of \$3,843,133 in Commonwealth of Ky. funds, for Fire Training Incentives for Firefighters for FY 2024, 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 accept a Grant from the Ky. Justice and Public Safety Cabinet under the Ky. Law Enforcement Foundation Program Fund, which Grant funds are in the amount of \$3,948,170 in Commonwealth of Ky. Funds for Police Training Incentives for FY 2024, 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 Lexington-Fayette Urban County Government, to execute an Agreement with the Bluegrass Area Development District, Inc., for the acceptance of Federal and State Grant funds in the amount of \$175,160, for the operation of the Lexington Senior Center for FY 2024, the acceptance of which obligates the Urban County Government for the expenditure of \$225,985 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 execute a Fiber Lease Agreement with the University of Ky. to lease the use of twenty-four strands of fiber to the University of Ky., resulting in revenue in an amount not to exceed \$83,588 and a cost not to exceed \$15,000 payable to the Commonwealth of Ky. or its designee for construction of an access point as required under the Fiber Lease Agreement, contingent upon passage of a simultaneous Resolution authorizing the Mayor to execute the indefeasible right of use with the Commonwealth of Ky.

A Resolution authorizing and directing the Mayor, on behalf of the Lexington-Fayette 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 Intelligent Transportation System/Congestion Management System (ITS/CMS) Traffic Improvements Project for FY 2024, the acceptance of which obligates the Urban County Government to 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 execute a twenty-eight year Indefeasible Right of Use Agreement with the Commonwealth of Ky. for approximately twenty-seven miles of a one hundred forty-four count bundle of fiber within the Urban County, at a one-time cost not to exceed \$63,588 and an annual cost not to exceed an additional \$20,000 in maintenance costs; and authorizing the Chief Information Officer to execute future Change Orders pursuant to Section 4.3 of the Indefeasible Right of Use Agreement; all contingent upon passage

of a simultaneous Resolution authorizing and directing the Mayor to execute a Fiber Lease Agreement with the University of Ky.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Consultant Services Agreement (awarded pursuant to RFP No. 22-2023) with Clark Dietz, Inc., for engineering and landscape architecture services related to a proposed Shared Use Path from the University of Ky. to the Meadowthorpe Neighborhood, at a cost not to exceed \$149,000.

A Resolution authorizing the Div. of Streets and Roads to purchase GPS monthly service from Routeware, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Routeware related to the procurement, at a cost not to exceed \$32,986.32, effective upon passage of Council.

A Resolution authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute an Engineering Services Agreement (awarded pursuant to RFP No. 4-2023) with Banks Engineering, Inc., for design engineering services for the Armstrong Mill Shared Use Path Project, for the Div. of Engineering, at a cost not to exceed \$199,325, to be paid with funds awarded by the Ky. Transportation Cabinet, under the Coronavirus Response And Relief Supplemental Appropriations Act of 2021 (CRRSSA) Grant, and authorizing the Mayor to execute any other necessary Agreements or amendments with Banks Engineering, Inc., related to the use of these funds.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Five (5) to the Agreement with Pace Contracting for the Splash! at Charles Young Park Construction Project, increasing the Contract price by \$45,188.76 and raising the total Contract price to \$1,553,534.66, and extending the completion deadline to July 24, 2023.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Three (3) to the Contract with L-M Asphalt Partners, Ltd., d/b/a ATS Construction, for the Clays Mill Rd. Section 1 Project, increasing the contract price by the sum of \$641,855.91 from \$11,415,070.06 to \$12,056,925.97.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the first renewal Agreement with Mackey Group, LLC., d/b/a

Wiser Strategies, for continued services related to mass marketing and advertisement placement services, for the Dept. of Environmental Quality and Public Works, at a cost not to exceed \$360,000 in Fiscal Year 2024, for the period beginning July 1, 2023 through June 30, 2024.

A Resolution authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute Contract Modification No. 4 with Strand Associates, Inc., increasing the Contract price by \$53,800 for additional design services for Town Branch Trail Phase 6, raising the total Contract price from \$1,140,374 to \$1,194,174.

A Resolution authorizing and directing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute and submit a Grant Application to the Ky. Transportation Cabinet-Office of Local Programs, seeking up to \$1,248,000 in Federal funds from the Transportation Alternatives Program (TAP), for the Armstrong Mill Rd. Shared Use Path and Harrodsburg Rd. Shared Use Path.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Agreement with Haire Construction, LLC, for the Gainesway Park Drainage Improvements Project, increasing the Contract price by \$20,200 and raising the total Contract price to \$68,700.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the first renewal of the Agreement with Bluegrass Greensource (awarded pursuant to RFP No. 21-2022), to manage the Green Check Business Sustainability Certification Program, for the Div. of Environmental Services, at a cost not to exceed \$65,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the first renewal of the Agreement with Mackey Group LLC d/b/a Wiser Strategies (awarded pursuant to RFP No. 28-2022), for creative design services for public outreach and media campaigns related to water quality and leaf collection, for the Div. of Environmental Services, at a cost not to exceed \$60,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a five year Support Maintenance Agreement with Systems & software, Inc., for support and maintenance of the enQuesta Software necessary for utility

billing, for the Div. of Revenue, and authorizing the Director of the Div. of Revenue to execute any related documents, at a cost not to exceed \$410,564.17 in FY 2024.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Second Amendment to the Lease Agreement with Creech Services, Inc., for use of the Haley Pike Landfill, to allow for an additional five successive five year extensions, through January 2056; to change how the amount the Urban County Government is required to pay upon termination of the lease for convenience is calculated; to allow for the composting of brewer's mash; to allow for the public to access the leased premises for educational purposes; to allow for larger amounts of compost material upon provision of a Fire control plan, unless the increased material creates a risk to public safety; and to provide for a wind-down period after termination for certain causes, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a multi-year platform Agreement, the final form of which is subject to the approval of the Dept. of Law and the Div. of Revenue, with Cayan LLC, for merchant processing services at the City Employee Pharmacy, the cost of which depends upon the volume of credit card transactions.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement related to Neighborhood Development Funds with Pinnacle Homeowners Association, Inc. (\$500); Friends of the Parks in Fayette County, Inc. (\$750); Firebrook Estates Homeowners Association, Inc. (\$1,000); the Plantation Neighborhood Association, Inc. (\$500); Stonewall Equestrian Estates Association, Inc. (\$500); Community Ventures Corporation (\$400); Georgetown Street Area Neighborhood Association, Inc. (\$200); and Share-Ky., Inc. (\$500), for the Office of the Urban County Council, at a cost not to exceed the sum stated.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with Lexington Children's Museum, Inc., for management of the Explorium of Lexington, at a cost not to exceed \$225,000.

A Resolution authorizing and directing the Mayor on behalf of the Urban County Government to execute a multi-year Master Subscription Agreement and related order

form with Granicus, LLC, for Engagement HQ and Support, for the Office of the Council Clerk, at a cost not to exceed \$56,500 for FY 2024, with annual increases not to exceed 10% in future fiscal years.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Vendor Agreement, and any other necessary related documents, with Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas counties, Inc., to allow LexServ to receive assistance payments from the Low Income Home Water Assistance Program, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement related to Council Capital Project Expenditure funds with Lyric Theatre and Cultural Arts Center Corporation (\$23,000), for the Office of the Urban County Council, at a cost not to exceed the sum stated.

A Resolution authorizing and directing the Mayor, or her designee, on behalf of the Urban County Government, to execute a Letter of Intent with Lexington Equine Medical Group, PLLC, for the purchase of 5.92 acres of the Coldstream Research Campus, for the amount of \$1,213,600, 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.

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Upon motion by Mr. J. Brown, and seconded by Ms. Gray, Communications from the Mayor (Appointments) was placed on the docket.

Upon motion by Mr. Worley, and seconded by Ms. Fogle, Communications from the Mayor (Appointments) was approved by unanimous vote, and was as follows: (1) recommending the appointments of Michael Owens and William Wilson to the Planning Commission, both with terms expiring July 1, 2027.

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Upon motion by Mr. J. Brown, and seconded by Ms. Reynolds, a Communications from the Mayor (For Information Only) was placed on the docket and was as follows: (1) the Unclassified Civil Service Appointment of Michael Keith Horn, Comm. of Planning and

Preservation, Grade 537E, \$6,116.32 biweekly in the Dept. of Planning and Preservation, effective July 17, 2023.

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Chief Lawrence Weathers, Div. of Police, presented a disciplinary matter regarding Officer Johnathan Coyle. An allegation has been made that Officer Coyle has committed the offense of Body-Worn Camera Procedures and Operation of Vehicles which constitutes misconduct under the provisions of KRS 95.450 and/or KRS 15.520 and General Order 1973-02K Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.04 and 1.13 in that on the 17th day(s) of March 2023, he/she allegedly:

- (1) On Monday, March 20th, 2023, an informal complaint was received from a citizen in reference to a driving complaint involving Officer Johnathan Coyle. The complainant stated he observed an unmarked white police truck speed up behind him on Interstate 75. The police vehicle activated its emergency lights and the complainant thought he was being pulled over for speeding. As he pulled over, the police vehicle continued south and he observed the police truck use emergency lights multiple times as it got behind other vehicles.
- (2) During the investigation it was further discovered Officer Coyle did not activate his body worn camera during this encounter and did not have it in buffering mode for a fifteen (15) day period.

At the conclusion of the investigation it was determined Officer Coyle was in violation of General Order 2015-15C Body-Worn Cameras and General order 1973-03S Operation and Maintenance of Department Vehicles.

This is Officer Coyle's second sustained formal complaint since his employment began on October 19, 2015.

The appropriate punishment for this conduct is Two week suspension without pay and six (6) month suspension of home fleet.

Upon motion by Mr. Worley, seconded by Ms. Elliott Baxter and approved by unanimous vote, the disciplinary recommendation was approved.

Vice Mayor Wu inquired about the prior formal complaint. Chief Weathers responded. Vice Mayor Wu asked how the prior formal complaint affected the severity of the discipline. Chief Weathers responded.

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Ms. Gray announced the following upcoming events in Council District 6: Park Fitness Day on August 5, 2023 from 12:30 p.m. to 2:30 p.m. at Pleasant Ridge Park; Back to School Rally on August 6, 2023 from 2:00 p.m. to 5 p.m. at Constitution Park; and the showing of *The Super Mario Bros Movie* at Summer Movie in the Park on August 12, 2023 from 7:30 p.m. to 9:30 p.m. at Dixie Park.

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Mr. J. Brown spoke about a park bench dedication in Northeastern Park to memorialize Landon Hayes, and extended gratitude to the Div. of Parks and Recreation the Div. of LexTV, and other LFUCG for their participation in the event. He commended Ms. Fogle for her efforts coordinating the dedication. Mr. J. Brown announced Lex Litter Fest at Castlewood Park on July 14, 2023, from 2:00 p.m. to 5:00 p.m., which had been coordinated in part by a Council District 1 resident interning with the Dept. of Environmental Quality and Public Works. He encouraged Council Members to get rest over the Council Break as there was more to be done and wished City Employees an enjoyable break.

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Ms. Fogle expressed appreciation for Comm. of General Services Chris Ford for his hard work in coordinating the park bench dedication, and thanked others who participated in the event, noting in particular Chief Weather's speech. She announced the upcoming Pool Pageant at Douglass Park on July 30, 2023, which would be the last event before construction began on the pool. Ms. Fogle acknowledged the pool's history and age and stated an event would be held after demolition began, to allow patrons to collect pieces of the structure to keep. She requested an update upon Council's return from break, on the judge's mediation court project. Ms. Fogle expressed gratitude for the opportunity to serve the 1st District and pledged her continued dedication to housing the homeless residents in her district.

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Mr. Seigny invited everyone to attend upcoming events at the Moondance Amphitheatre: Summer Nights in Suburbia on July 21 and August 4, 2023 at 7 p.m. and the Southland Jamboree on July 13, July 20, July 27, August 3 and August 10, 2023 from

7:00 p.m. to 8:30 p.m. He also announced Tahl Sound Concert Series Lexington Reggae Fest on the Oleika Temple Great Lawn on Southland Drive on July 23. Mr. Sevigny shared photos of a new mural on the railroad underpass installed as a part of the Rediscover Southland Project by LexArts. He announced the birth of his first granddaughter, Nora Riemen, before wishing everyone a happy break.

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Ms. Lynch announced several upcoming events in Council District 2: St. Martin's Village Day Family Reunion on July 29, 2023; Super Sunday at Douglass Park on July 16, 2023; and, Soulful Sundays at Douglass Park throughout the month of July.

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Dottie Bean, Council District 8, spoke about the monetary amounts and frequency of change orders issued across various city construction projects.

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Rick Day, Council District 3, spoke about the 2022 MAG study.

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Hearing no objection, Vice Mayor Wu declared the meeting adjourned at 6:50 p.m.

Deputy Clerk of the Urban County Council