

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky August 31, 2023

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on August 31, 2023 at 6:00 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the Council: Wu, F. Brown, J. Brown, Ellinger, Elliott Baxter, Gray, LeGris, Lynch, Monarrez, Plomin, Reynolds, Seigny, and Sheehan. Absent were Council Members Worley and Fogle.

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

Resolutions No. 433-2023 through 444-2023, inclusive, were reported as having been signed and published and ordered to record.

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The Invocation was given by Shaun Denney, Legislative Aide for Council District 12.

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At 6:05 p.m. Mr. Worley joined the meeting.

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Mayor Gorton asked Rev. Dr. Charisse Gillett to join her at the podium, along with Mr. J. Brown, and read a Proclamation declaring August 31, 2023 as Reverend Doctor Charisse L. Gillett Day in Lexington.

Mayor Gorton elaborated on the many contributions and achievements of the Reverend Doctor, including becoming the first African American woman to hold the position of President of the Lexington Theological Seminary, and thanked Mr. J. Brown for bringing Rev. Dr. Gillett to the attention of the Mayor's Office in order to bestow the recognition.

Rev. Dr. Gillett thanked the Mayor and Council for the honor and spoke about the investment of education, the history of the Lexington Theological Seminary, and the foundations of faith, family, and education.

Mr. J. Brown acknowledged the barriers Rev. Dr. Gillett has broken during her service, as well as her dedication to her community.

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An Ordinance levying ad valorem taxes for municipal purposes for the fiscal year July 1, 2023 through June 30, 2024, on the assessed value of all taxable property within the taxing jurisdictions of the Lexington-Fayette Urban County Government (all taxes on each \$100.00 of assessed valuation as of the January 1, 2023 assessment date), as follows: General Services District, \$.076 on real property, including real property of public service companies, \$.0891 on personal property, including personal property of public service companies, noncommercial aircraft, and noncommercial watercraft, \$.150 on insurance capital, \$.015 on tobacco in storage, and \$.0450 on agricultural products in storage; Full Urban or Partial Urban Services Districts based on urban services available on real property, including real property of public service companies, \$.139 for Refuse Collection, \$.027 for Street Lights, \$.009 for Street Cleaning, \$.092 on insurance capital, \$.015 on tobacco in storage, \$.045 on agricultural products in storage; abandoned urban property \$1.00; and levying an ad valorem tax for municipal purposes at the rate of \$.088 on each \$100.00 of assessed value on all motor vehicles and watercraft within the taxing jurisdiction of the Lexington-Fayette Urban County Government as of the January 1, 2024 assessment date was on the docket to receive second reading.

At 6:03 p.m., Mayor Gorton declared open a public hearing and invited public comment.

Mr. Seigny spoke about his research of refuse collection and street lights, financial aspects of these services, and the future of Ad Valorem taxes. He concluded by stating his intention to place an item into committee that would explore alternative revenues for such services.

Mr. F. Brown stated his intention to make a motion regarding the Ordinance.

At 6:06 p.m., Mayor Gorton declared the public hearing closed.

Upon motion by Mr. F. Brown, seconded by Mr. Ellinger and approved by unanimous vote, the Street Light portion of the Ordinance was separated out.

An Ordinance levying Ad Valorem taxes for municipal purposes for the fiscal year July 1, 2023 through June 30, 2024, on the assessed value of all taxable property within the taxing jurisdictions of the Lexington-Fayette Urban County Government (all taxes on each \$100.00 of assessed valuation as of the January 1, 2023 assessment date), as follows: general services district, \$.076 on real property, including real property of public

service companies, \$.0891 on personal property, including personal property of public service companies, noncommercial aircraft, and noncommercial watercraft, \$.150 on insurance capital, \$.015 on tobacco in storage, and \$.0450 on agricultural products in storage; full urban or Partial Urban Services Districts based on urban services available on real property, including real property of public service companies, \$.139 for refuse collection, \$.009 for street cleaning, \$.092 on insurance capital, \$.015 on tobacco in storage, \$.045 on agricultural products in storage; \$1.00 on abandoned urban property; and levying an Ad Valorem tax for municipal purposes at the rate of \$.088 on each \$100.00 of assessed value on all motor vehicles and watercraft within the taxing jurisdiction of the Lexington-Fayette Urban County Government as of the January 1, 2024 assessment date, as amended, received first reading.

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

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

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

Nay: -----0

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An Ordinance levying Ad Valorem taxes for municipal purposes for the fiscal year July 1, 2023 through June 30, 2024, on the assessed value of all taxable property within the taxing jurisdictions of the Lexington-Fayette Urban County Government (all taxes on each \$100.00 of assessed valuation as of the January 1, 2023 assessment date), as follows: full urban or Partial Urban Services Districts based on urban services available on real property, including real property of public service companies, \$.027 for street lights received first reading.

Upon motion by Mr. Sevigny, seconded by Ms. LeGris and approved by unanimous vote, the ordinance received second reading.

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

Aye: Wu, J. Brown, Ellinger, Elliott Baxter, -----12
Gray, LeGris, Lynch, Monarrez, Plomin,
Reynolds, Seigny, Sheehan

Nay: Worley, F. Brown -----2

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An Ordinance adopting the request of the Lexington-Fayette County Health Dept. under KRS 212.755 and levying a special ad valorem public health tax for the fiscal year July 1, 2023 through June 30, 2024, on the assessed value of all taxable real and personal property within the taxing jurisdiction of the Lexington-Fayette Urban County Government, including real and personal property of public service companies, noncommercial aircraft, noncommercial watercraft, and inventory in transit, and excluding insurance capital, tobacco in storage, and agricultural products in storage, at the rate of \$.0243 on each \$100.00 of assessed value as of the January 1, 2023 assessment date; and levying a special ad valorem public health tax at the rate of \$.0243 on each \$100.00 of assessed value on all motor vehicles and watercraft within the taxing jurisdiction of the Lexington-Fayette Urban County Government, as of the January 1, 2024 assessment date was on the docket to receive second reading.

At 6:07 p.m., Mayor Gorton declared open a public hearing and invited public comment.

At 6:07 p.m., with no one appearing to speak, Mayor Gorton declared the public hearing closed.

The ordinance received second reading.

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

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

Nay: -----0

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An Ordinance levying ad valorem taxes for purposes of support of the Soil and Water Conservation District for the fiscal year July 1, 2023 through June 30, 2024, on the

assessed value of all taxable real property within the taxing jurisdiction of the Lexington-Fayette Urban County Government, including real property of public service companies, at a rate of \$.001 on each one hundred dollars (\$100.00) of assessed valuation as of the January 1, 2023, assessment date was on the docket to receive second reading.

At 6:07 p.m., Mayor Gorton declared open a public hearing and invited public comment.

At 6:07 p.m., with no one appearing to speak, Mayor Gorton declared the public hearing closed.

The ordinance received second reading.

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

Aye: Wu, J. Brown, Ellinger, Elliott Baxter, -----12
Gray, LeGris, Lynch, Monarrez, Plomin,
Reynolds, Seigny, Sheehan

Nay: Worley, F. Brown -----2

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

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

Nay: -----0

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, FY 2024 Schedule No. 5.

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. 6.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$122,100

to provide funds for Council Capital Projects in the Divs. of Traffic Engineering and Parks and Recreation, and appropriating and re-appropriating funds, Schedule No. 7.

An Ordinance amending the authorized strength by creating one (1) classified position of Computer Systems Manager Senior, Grade 526E, in the Div. of Police; creating one (1) classified position of Open Records Supervisor, Grade 521E, in the Div. of Police; abolishing one (1) classified position of Nuisance Control Officer, Grade 515N, in the Div. of Code Enforcement; creating one classified position of Housing Advocate, Grade 517N, in the Dept. of Housing Advocacy and Community Development; creating one (1) unclassified position of Administrative Specialist, Grade 516N, in the Office of Chief Development Officer; and creating one (1) unclassified position of Construction Manager, Grade 531E, with the term date of four years, expiring June 30, 2027, in the Dept. of Environmental Quality and Public Works, all effective July 1, 2023.

An Ordinance amending the Classified Civil Service authorized strength to include changes resulting from Administrative Review, as follows: abolishing one (1) position of Engineering Aide Sr., Grade 514N, and one (1) position of Engineering Technician, Grade 515N, and creating two (2) positions of Traffic Signs Technician, Grade 515N, and transferring one (1) incumbent from the position of Engineering Aide Sr., Grade 514N, and one (1) incumbent from the position of Engineering Technician, Grade 515N, to the position of Traffic Signs Technician, Grade 515N, adjusting the hourly rate of the affected incumbent, all in the Div. of Traffic Engineering, effective November 7, 2022.

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The following ordinances received first reading and were ordered to be placed on file for public inspection until September 14, 2023:

An Ordinance changing the zone from a Professional Office (P-1) zone to a Commercial Center (B-6P) zone, for 1.04 net (1.04 gross) acres, for property located at 2717 Flora Fina St. (a portion of). (Flora Investments, LLC (AMD); Council District 6).

An Ordinance changing the zone from an agricultural Rural (A-R) zone to an Agricultural Buffer (A-B) zone, for 50.10 net (50.68 gross) acres, for property located at 300 Canebrake Dr. (Sayre College; Council District 12).

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to provide funds for purchase orders rolling from FY 2023 into FY 2024, and appropriating and re-appropriating funds, Schedule No. 8.

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. 9.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$7,400 to provide funds for Council Capital Projects in the Div. of Traffic Engineering, and appropriating and re-appropriating funds, Schedule No. 11.

An Ordinance amending the authorized strength by creating one (1) classified position of Intelligence Specialist, Grade 515N, in the Div. of Police; creating one (1) classified position of Implementation Coordinator, Grade 520E, in the Dept. of Social Services; and creating one (1) unclassified position of Information Officer, Grade 518E, with the term date of December 31, 2026, in the Office of the Urban County Council, all effective July 1, 2023.

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

Nay: -----0

A Resolution accepting the bid of Lagco, Inc., in the amount of \$764,812, for Meadows Northland Arlington 6C1 A&B, for the Div. of Grants & Special Programs, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Lagco, Inc., related to the Bid.

A Resolution ratifying the Permanent Classified Civil Service Appointments of: Brandon Dunstan, Information Officer, Grade 518E, \$2,221.12 biweekly in the Div. of Government Communications, effective August 6, 2023, Terri Thomas, Accounts Payable Specialist, Grade 516N, \$22.100 hourly in the Div. of Accounting, effective July 30, 2023, Jami Davis, Staff Assistant Sr., Grade 511N, \$19.337 hourly in the Div. of Revenue,

effective August 13, 2023, Christine Thomas, Revenue Manager, Grade 524E, \$2,916.96 biweekly in the Div. of Revenue, effective August 13, 2023, Gabriel Thatcher, Attorney, Grade 526E, \$2,916.00 biweekly in the Dept. of Law, effective July 23, 2023, Whitney Paul, Golf Pro/Supervisor, Grade 522E, \$2,584.64 biweekly in the Div. of Parks and Recreation, effective July 23, 2023, John Dickson, Golf Services Assistant, Grade 512N, \$17.937 hourly in the Div. of Parks and Recreation, effective January 5, 2023, Stacey Granville, Grants Manager Sr., Grade 526E, \$2,916.08 biweekly in the Div. of Grants and Special Programs, effective January 18, 2023, John Pinson II, Grants Manager, Grade 524E, \$2,689.04 biweekly in the Div. of Grants and Special Programs, effective July 30, 2023, Jennifer Epperly, Grants Manager, Grade 524E, \$2,636.16 biweekly in the Div. of Grants and Special Programs, effective August 6, 2023; and ratifying the Permanent Sworn Appointments of: Thomasena Grider, Police Lieutenant, Grade 317E, \$4,278.10 biweekly in the Div. of Police, effective July 30, 2023, Christopher Sizemore, Police Lieutenant, Grade 317E, \$4,194.21 biweekly in the Div. of Police, effective July 2, 2023, Wayne White, Police Sergeant, Grade 315N, \$40.490 hourly in the Div. of Police, effective July 2, 2023, David Lawson, Police Sergeant, Grade 315N, \$40.490 hourly in the Div. of Police, effective July 2, 2023.

A Resolution changing the property street name of 834 East Seventh Street to 832 East Seventh Street, 834 1/2 East Seventh Street to 834 East Seventh Street and changing the street name and property address number of 4040-4044 Todds Rd. to 1085 Jouett Creek Dr., 4618 Willman Way to 4618 Larkhill Lane to 1500 Continental Square to 1555 Eastland Parkway, all effective thirty (30) days from passage.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation of quarried limestone from Vulcan Materials, for construction of the Athens Boonesboro Rd. welcome sign, a Corridors Commission project, at no cost to the Urban County Government.

A Resolution approving the Fayette County Sheriff's Settlement - 2022 Property Taxes, for taxes collected as of April 18, 2023, and granting the Sheriff a Quietus.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement and a Vehicle Lease Agreement with

Lexington-Fayette Animal Care and Control, LLC, for animal control services, at a cost not to exceed \$1,871,590.

A Resolution establishing Brown Equipment Co. as a sole source provider of parts, materials, and labor to maintain Closed Circuit Television Sewer Inspection Equipment for the Div. of Water Quality, at a cost not to exceed \$25,000 in FY 2024, and authorizing the Mayor, or her designee, on behalf of the Urban County Government, to execute any necessary Agreements with Brown Equipment Co. related to the procurement.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Release of Easement, releasing a certain sanitary sewer and utility easement on the property located at 330 Newtown Pike.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreement(s) with Nestor Gomez, Terry Dumphord, Corey Dunn, and Stephen Overstreet, to serve as Crisis Response Mediators for ONE Lexington, at a total cost not to exceed \$16,000.

A Resolution authorizing and directing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute Professional Services Agreements with Bethanie Logdon and Kayla Keeping, as Sexual Assault Nurse Examiners, to provide on-call forensic examinations and services under the Sexual Assault Nurse Examiner Program, at a cost not to exceed \$10,752.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Amendment No. One (1) to the Agreement with the Bluegrass Area Development District, to accept additional Federal funds in the amount of \$1,921 and additional state funds in the amount of \$6,374 for a total increase of \$8,295 for operation of the Lexington Senior Center in FY 2024.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to approve and adopt substantial amendments to the 2018, 2019, and 2020 Annual Action Plans, in order to reallocate Federal Community Development Block Grant funds in the amount of \$50,000 to the Isaac Murphy Memorial Art Garden, for the installation of a shade structure. (Public Hearing on August 17, 2023 at 6:00 p.m.)

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Dept. of Military Affairs, Div. of

Emergency Management, in order to accept \$930,050 in Federal funds, awarded under the FY 2023 Chemical Stockpile Emergency Preparedness Program (CSEPP) for the purpose of protecting the community and enhancing emergency response in case of chemical accidents during and after destruction of the chemical weapons stockpile at the Bluegrass Army Depot, 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 the Mayor, on behalf of the Urban County Government, to renew the Data License Agreement for up to three (3) years with Streetlight Data, Inc., so it may complete an online transportation analytics platform to monitor multimodal travel within Fayette and Jessamine Counties, at a cost not to exceed \$148,918.00 in FY 2024.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement related to Neighborhood Development Funds with 16th District PTA Inc. dba Coventry Oak PTSA (\$150); Hill-N-Dale Neighborhood Association, Inc. (\$500); University of Ky. Minorities in Agriculture, Natural Resources and Related Sciences (\$450); Spindletop Community Association, Inc. (\$800); Bluegrass Greensource, Inc. (\$500); Andover Forest Homeowners Association, Inc. (\$500); Bryan Station Band Association (\$1,000); Chevy Chase Business Owners Association Corporation (\$1,000); and Old Paris Place Community LLC (\$1,000), for the Office of the Urban County Council, at a cost not to exceed the sum stated.

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A Resolution accepting the bid of BMI LLC, in the amount of \$1,695,309, for Dunbar Community Center Roof & Restroom Replacement, for the Dept. of General Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with BMI LLC, related to the bid received first reading.

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

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

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

Nay: -----0

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Windstream Communications, Inc. to provide reimbursement for the relocation of communications cables related to the Town Branch Park Public Access Improvements Project, at a cost estimated not to exceed \$20,990.85 received first reading.

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

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

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

Nay: -----0

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement related to Neighborhood Development Funds with Carnegie Literacy Center, Inc. dba Carnegie Center for Literacy and Learning (\$500); Oakwood Neighborhood Association, Inc. (\$250); Lexington Humane Society (\$750); Friends of the Lexington Senior Center Inc. (\$1,375); Colors of Promise Lexington KY Inc (\$700); Pralltown Neighborhood Association, Inc. (\$1,000); Big Brothers/Big Sisters of the Bluegrass, Inc. (\$1,150); and United Negro College Fund, Inc. dba UNCF Columbus (\$1,200), for the Office of the Urban County Council, at a cost not to exceed the sum stated received first reading.

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

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

Aye: Worley, Wu, F. Brown, J. Brown, -----13
Ellinger, Elliott Baxter, Gray, LeGris,
Monarrez, Plomin, Reynolds, Sevigny,
Sheehan

Nay: -----0

Recuse: Lynch

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A Resolution accepting the bid of Tekton Construction LLC, in the amount of \$211,588.03 for Athens Boonesboro Welcome Sign, for the Div. of Environmental Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Tekton Construction LLC, related to the bid received first reading.

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

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

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

Nay: -----0

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A Resolution authorizing the Fayette County Coroner's office to purchase two used Ferno iNx stretchers from Ferno, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Ferno, related to the procurement, at a cost not to exceed \$73,242.60 received first reading.

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

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

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

Nay: -----0

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A Resolution authorizing the Mayor to execute an Agreement with W-T Group, LLC, for a comprehensive update of the Urban County Government's ADA Transition Plan, at a cost not to exceed \$200,000, to be paid using funding awarded under the American Rescue Plan Act (ARPA), and further authorizing the Mayor to execute any necessary amendments with W-T Group, LLC, related to the use of these funds received first reading.

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

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

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

Nay: -----0

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A Resolution authorizing and directing the Mayor, or her designee, on behalf of the Urban County Government, to execute a Letter of intent with Metro Employees Credit Union, for the purchase of 2.57 acres of the Coldstream Research Campus, for the amount of \$578,250, 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 the property received first reading.

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

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

Aye: Worley, Wu, F. Brown, J. Brown, -----13
Ellinger, Elliott Baxter, Gray, LeGris,
Lynch, Monarrez, Plomin, Reynolds,
Sevigny

Nay: -----0

Recuse: Sheehan

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement related to Neighborhood Development Funds with 16th District PTA Inc. c/o Brenda Cowen Elementary (\$1,082); Phoenix Rising of Lexington Ky., Inc. (\$400); Lexington Leadership Foundation, Inc. c/o Lexington Fatherhood Initiative (\$1,100); Sneakers with Everything Project, Inc. (\$300); and Garden Meadows Homeowners Association, Inc. (\$350), for the Office of the Urban County Council, at a cost not to exceed the sum stated received first reading.

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

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

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

Nay: -----0

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The following resolutions received first reading and were ordered to be placed on file for public inspection until September 14, 2023:

A Resolution accepting the bid of Pro Air Midwest, LLC, in the amount of \$57,000, for Breathing Air Compressor for mobile use, for the Div. of Fire & Emergency Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Pro Air Midwest, LLC, related to the bid.

A Resolution ratifying the Permanent Classified Civil Service Appointment of: Clarence McCoy, Public Service Worker Sr., Grade 510N, \$18.362 hourly in the Div. of Streets and Roads, effective August 20, 2023.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with NAMI Lexington, Inc., related to the operation of the Fayette Mental Health Court, at a cost not to exceed \$55,000, using funds allocated from the FY 2024 General Fund.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easement, releasing a portion of a sanitary sewer easement on the property located at 1821 Alysheba Way.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the First Renewal of the Contract with ADS Environmental Services (ADS, LLC), for sewer overflow monitoring/reporting services, for the Div. of Water Quality, at a cost not to exceed \$118,536.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Lease Agreements for residential park property with the following individuals for the listed properties in consideration of the sums stated in monthly rent: Samuel Garcia for 3990 Raven Run Way, \$590.00/month; Fred Williamson for 4051 Richmond Rd., \$185.00/month; Teresa Jill Farmer for 3401 Shamrock Lane, \$700.00/month; and Brian Huddle for 3661 Shamrock Lane, \$550.00/month, for total annual revenue of \$24,300.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 3 to the Agreement with Lagco, Inc. for construction of the Meadows/Northland/Arlington Public Improvements Project, Phase 6B1 and 6B2, increasing the Contract price by \$83,070.56, raising the total price to \$2,855,950.20.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Facilitron Permits and Honorariums, with the Fayette County Board of Education, for the Div. of Parks & Recreation, for space to host the Extended School Program (ESP) and the Recreational Enrichment and Learning Program (REAL) for 2023 summer camps, at a cost not to exceed \$12,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept an additional award of \$62,566.92 in Federal funds under the

American Rescue Plan Act (ARPA) from the Ky. Cabinet for Health and Family Services, Dept. for Community Based Services, in order to support child care expenses in the Extended School Program at the Div. of Parks and Recreation, 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 and submit a Grant Application to the Ky. Justice Cabinet under the Violence Against Women Act (VAWA) Program, 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 \$65,000 in Federal funds and \$12,000 in Commonwealth of Ky. funds, and are for the continuation of the Sexual Assault Nurse Examiner (SANE) Program for FY 2024, the acceptance of which obligates the Lexington-Fayette Urban County Government to the expenditure of \$24,667 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 and submit a Grant Application to the U.S. Dept. of Transportation under the Reconnecting Communities & Neighborhoods (RCN) Discretionary Grants Program, and to provide any additional information requested in connection with this Grant Application, which seeks Grant funds in an amount not to exceed \$10,000,000 in Federal funds for the Unifying US60 Project.

A Resolution authorizing and directing the Div. of Traffic Engineering to install three (3) speed tables on Dallas Ave. between Liberty Rd. and Delaware Ave. per guidelines in the Neighborhood Traffic Management Program, at a cost not to exceed \$13,500.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Participating Addendum/Cooperative Purchasing Master Agreement with Ceragon Networks, Inc. through NASPO Value Point, establishing a price contract for the purchase of radio equipment for the Div. of Enhanced 911, at a cost not to exceed \$420,000 in FY 24, and further authorizing the Dir. of Procurement or his designee to execute any other necessary documents related to the price contract.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easement, releasing a portion of a utility easement on the property located at 3828 Real Quiet Ln.

A Resolution accepting the bid of Crawford, Murphy & Tilly, Inc. to RFP No. 26-2023 to verify and recalibrate traffic signal clearance intervals system-wide at a cost not to exceed \$172,836, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreements with Crawford, Murphy & Tilly, Inc., related to this project.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Amendment No. 2 to the Agreement with the Bluegrass Area Development District, to accept additional Federal funds in the amount of \$46,675.34 for operation of the Lexington Senior Center in FY 2024.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Amendment No. 2 to the Agreement with the Lexington Children's Museum, d/b/a Explorium of Lexington, to extend the performance period through December 31, 2023 and authorizing the Mayor to execute any other Agreements or Amendments with Explorium of Lexington related to the use of these funds.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with Children's Advocacy Center of the Bluegrass, for forensic interviews, at a cost not to exceed \$50,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement and accept a Grant from the Lexington-Fayette County Health Dept. of \$469,418.00 in Federal funds (including \$89,811 in American Rescue Plan Act Funds) and \$241,734 in Commonwealth of Ky. funds, for a total of \$711,152 for the Home Network Project, also known as Ky. Health Access Nurturing Development Services (HANDS), for the Family Care Center for FY 2024, 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 establishing 02X Human Performance as a sole source provider for the Wellness and Injury Reduction Training Program, for the Div. of Fire and Emergency Services, at a cost not to exceed \$336,000 in FY 2024, and authorizing the Mayor, on

behalf of the Urban County Government, to execute any necessary Agreements with 02X Human Performance related to the procurement.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept Federal funds from the Ky. Transportation Cabinet's Office of Highway Safety, which Grant funds are in the amount of \$217,000, for the Traffic Safety Program for FY 2024, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Thomson Reuters for WestLaw on-line legal research and publications, for the Dept. of Law, at a cost not to exceed \$25,924.64 in FY 2024.

A Resolution authorizing and directing the Mayor on behalf of the Urban County Government to execute an order form with GOGov, Inc., for Citizen Request Management (CRM) Software Subscription, at a cost not to exceed \$14,400 for FY 2024, with annual increases not to exceed 7% in future fiscal years, and further authorizing the Mayor to execute any documents related to any future renewals of such order form, subject to sufficient funds being appropriated in future fiscal years.

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Upon motion by Ms. Plomin, and seconded by Ms. Sheehan, the Communications from the Mayor (Appointments) were approved by unanimous vote and were as follows: (1) Recommending the seat change of Anne Tyler Morgan, Industrial Authority Board Representative, and the appointment of Kaelyn Query, At large, to the Economic Development Investment Board, with terms expiring March 1, 2024, and March 1, 2027, respectively; (2) Recommending the appointment of David Blake, Democrat at large, to the Ethics Commission, with term expiring August 1, 2027, pending the results of the confirmation hearing on 8/31/2023; (3) Recommending the reappointment of Wanda Jaquith, Neighborhood Representative, and Jackson Osborne, Bluegrass Trust Representative, to the Historic Preservation Commission, both with terms expiring June 30, 2027; and, (4) Recommending the appointment of Gina Ensminger, Local Lending Institution Representative, to the Vacant Property Review Commission, with term expiring January 1, 2027.

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Upon motion by Vice Mayor Wu, and seconded by Ms. Sheehan, 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 Depts. or Divs. as to the specifications and amount set forth in the terms of the respective bids: (a) Div. of Police - Disposable Gloves- 79-2023 - PH & S Products; (b) Div. of Fleet Services - Knapheide HVAC Service Body - 96-2023 - Meyer Truck Equipment; and, (c) Div. of Parks & Recreation – Fencing Services - 93-2023 - Myers Fence Inc and Tennis Technology Inc.

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The following Communications from the Mayor were received for information only: (1) Probationary Classified Civil Service Appointment of Deanne Geary, Staff Assistant, Grade 509N, \$17.565 hourly in the Div. of Revenue, effective September 11, 2023; (2) Probationary Classified Civil Service Appointment of Shaun Denney, Administrative Officer Sr., Grade 526E, \$3,674.16 biweekly in the Dept. of Planning and Preservation, effective September 4, 2023; (3) Probationary Classified Civil Service Appointment of William Wood-Jenkins, Engineering Technician Principal, Grade 519N, \$28.322 hourly in the Div. of Engineering, effective September 13, 2023; (4) Probationary Classified Civil Service Appointment of Ronald Hinton, Operations Supervisor, Grade 519E, \$2,211.54 biweekly in the Div. of Streets and Roads, effective August 28, 2023; (5) Probationary Classified Civil Service Appointment of Calvin Trowel, Public Service Worker Sr., Grade 510N, \$19.688 hourly in the Div. of Streets and Roads, effective August 28, 2023; (6) Probationary Classified Civil Service Appointment of Steve Zahn, Engineering Technician Sr., Grade 517N, \$28.483 hourly in the Div. of Water Quality, effective September 4, 2023; (7) Probationary Classified Civil Service Appointment of Charles Jones, Administrative Specialist, Grade 516N, \$21.790 hourly in the Div. of Waste Management, effective September 5, 2023; (8) Probationary Classified Civil Service Appointment of James Twitchell, Resource Recovery Operator, Grade 515N, \$21.626 hourly in the Div. of Waste Management, effective September 11, 2023; (9) Probationary Classified Civil Service Appointment of Alex Hicks, Resource Recovery Operator, Grade 515N, \$22.944 hourly in the Div. of Waste Management, effective September 11, 2023; (10) Probationary

Classified Civil Service Appointment of James Shields, Telecommunicator, Grade 517N, \$23.881 hourly in the Div. of Enhanced 911, effective September 18, 2023; (11) Probationary Classified Civil Service Appointment of Jennifer Yeager, Administrative Specialist, Grade 516N, \$23.611 hourly in the Div. of Police, effective September 11, 2023; (12) Probationary Classified Civil Service Appointment of Jerry Lucas, Code Enforcement Officer Sr., Grade 518N, \$27.178 hourly in the Div. of Code Enforcement, effective August 28, 2023; (13) Probationary Classified Civil Service Appointment of Michael Hauserman, Code Enforcement Supervisor, Grade 520E, \$2,500.00 biweekly in the Div. of Code Enforcement, effective August 28, 2023; (14) Probationary Classified Civil Service Appointment of Kikoko Lusiwe, Custodial Worker, Grade 506N, \$16.095 hourly in the Div. of Facilities and Fleet Services, effective September 5, 2023; (15) Probationary Classified Civil Service Appointment of Emmalee Floyd, Recreation Specialist Sr., Grade 516E, \$1,766.16 biweekly in the Div. of Parks and Recreation, effective October 23, 2023; (16) Probationary Classified Civil Service Appointment of Steve Rollins, Skilled Trades Worker, Grade 515N, \$22.020 hourly in the Div. of Parks and Recreation, effective August 28, 2023; (17) Probationary Classified Civil Service Appointment of Christopher Taylor, Planning Manager, Grade 527E, \$3,542.40 biweekly in the Div. of Planning, effective August 28, 2023; (18) Probationary Sworn Appointment of Anthony Sullivan, Police Sergeant, Grade 315N, \$41.300 hourly in the Div. of Police, effective August 29, 2023; (19) Unclassified Civil Service Appointment of Darion Rowe, Custodial Worker P/T, Grade 506N, \$15.767 hourly in the Div. of Family Services, effective August 28, 2023; (20) Unclassified Civil Service Appointment of Thomas Thompson, Security Officer P/T, Grade 511N, \$20.228 hourly in the Dept. of Public Safety, effective September 11, 2023; and, (21) Classified Civil Service Lateral Transfer of Sarah Farley, Administrative Specialist, Grade 516N, \$24.641 hourly in the Div. of Revenue, effective August 28, 2023.

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Chief Jason Wells, Div. of Fire and Emergency Services, presented a disciplinary action regarding Firefighter Jerome Brown - 47810. An allegation has been made that Firefighter Brown has committed the offense of AWOL in violation of KRS 95.450 (inefficiency, misconduct, insubordination or violation of law or rule) and UDG 1.11 Tardy,

Late, and AWOL in that on the 6th day(s) of May, 2023, he/she allegedly failed to report for a scheduled overtime assignment.

The appropriate punishment for this conduct is Written Reprimand.

Upon motion by Vice Mayor Wu, seconded by Ms. Lynch and approved by unanimous vote, the disciplinary recommendation was approved.

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Chief Jason Wells, Div. of Fire and Emergency Services, presented a disciplinary action regarding Firefighter Lyle Blunk - 57456. An allegation has been made that Firefighter Blunk has committed the offense of AWOL in violation of KRS 95.450 (inefficiency, misconduct, insubordination or violation of law or rule) and UDG 1.11 Tardy, Late, and AWOL in that on 25th day(s) of May 2023, he/she allegedly failed to report for a scheduled overtime assignment.

The appropriate punishment for this conduct is Written Reprimand.

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

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Chief Jason Wells, Div. of Fire and Emergency Services, presented a disciplinary action regarding Capt. Justin Halsaver - 37250. An allegation has been made that Capt. Halsaver has committed the offense of AWOL in violation of KRS 95.450 (inefficiency, misconduct, insubordination or violation of law or rule) and UDG 1.11 Tardy, Late, and AWOL in that on 26th day(s) of June 2023, he/she allegedly failed to report for a scheduled overtime assignment.

The appropriate punishment for this conduct is Written Reprimand.

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

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At 7:02 p.m. Mr. Ellinger departed the meeting.

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Mr. J. Brown wished to acknowledge Stacey Maynard, Council Administrator. He thanked her for her service and wished her well on her career change.

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Ms. Gray announced details of the upcoming event, “Movie Night at Dixie Park” on the lawn of Radiant Church, to be held the coming Sunday, September 3, 2023 from 7:30 p.m. to 9:30 p.m. She also shared that the Living Word Christian Center, First Love Kingdom Ministry, and Bubblemat Coin Laundry would be partnering to host “Loads of Love.” This event will offer 100 free loads of laundry to those living in the Bryan Station, Eastland, and Joyland areas on Sunday, September 17, 2023 from 9:00 a.m. to 12:00 p.m.

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Vice Mayor Wu spoke of his experience stepping into his current position, and the immediate assistance offered by Stacey Maynard, Council Administrator. He thanked her for all her help, kindness, patience and quick responses. He wished her positive, forward movement in her new career.

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Mr. Sevigny welcomed Anne Marie Dvorak, a local boy scout from Mary Queen of the Holy Rosary, who was attending the Council Meeting in order to gain her Communications Badge. He invited her to attend a more contentious meeting in the future. Mr. Sevigny also shared photos from a recent visit to the Lexington Humane Society hosted Bark Bash Animal Doppelgänger event. He invited all to attend the upcoming Bark Bash Saturday, October 21, 2023.

Upon motion by Mr. Sevigny, seconded by Plomin and approved by majority vote (Mr. Ellinger was absent), an item to review refuse and street lights was placed into the Council Environmental Quality and Public Works Committee.

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Ms. LeGris thanked Stacey Maynard, Council Administrator, for her dedication, patience, and service. She expressed gratitude for the opportunity to work with Stacey on many projects.

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Ms. Plomin also thanked Stacey Maynard, Council Administrator, for her service, noting the stability and warmth she offered the Council during her time.

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Ms. Sheehan announced that Kenwick Community Center and the African American Arts Association would be hosting “Alpha Girl Program” weekly after school every Thursday, from 5:00 p.m. to 7:00 p.m., August 10, 2023 through January 24, 2024. She also shared that August 31, 2023 was Overdose Awareness Day and highlighted that Lexington Fayette County Health Department has a Harm Reduction Program that assists those with addictions. Those wishing for more information could find it at lfchd.org.

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Ms. Reynolds spoke about her own experience with losing a friend to addiction. She encouraged all to have training with Naloxone. She also shared photos and information from her recently attended “hard hat” tour of the new Village Branch Library, which is currently under construction.

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Ms. Lynch reminded everyone that “Shayla in the 2nd Meet and Greet” would be held September 7, 2023, 5:00 p.m. to 7:00 p.m. at the Coldstream Dog Park. She also invited everyone to attend the upcoming bout between R.O.C.K., Rollergirls of Central Kentucky, and Confluence Crush Heartbreakers and the Naptown Warning Bells September 23, 2023. She closed with thanking Stacey Maynard, Council Administrator, for her service.

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Mr. Worley also thanked Stacey Maynard for her service as Council Administrator and wished her good luck in her future endeavors.

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Brittanie Price, Dist. 11, shared some facts about historic sites in Lexington.

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Upon motion by Vice Mayor Wu, seconded by Ms. Plomin, and approved by unanimous vote, the meeting adjourned at 7:29 p.m.

Clerk of the Urban County Council