

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky October 12, 2023

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on October 12, 2023 at 6:00 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the Council: J. Brown, Ellinger, Elliott Baxter, Fogle, Gray, LeGris, Lynch, Monarrez, Plomin, Reynolds, Sevigny, Sheehan, Worley, Wu, and F. Brown.

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

Ordinances No. 103-2023 through 110-2023, inclusive, and Resolutions No. 495-2023 through 520-2023, inclusive, were reported as having been signed and published and ordered to record.

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The Invocation was given by Rev. Dr. Keith Tyler, Sr., Senior Pastor of the Antioch Baptist Church.

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Mayor Gorton asked Kentucky League of Cities (KLC) Executive Director J.D. Chaney to join her at the podium, along with Dir. of Public Affairs Bryanna Carroll, and presented Kentucky State Senator Amanda Mays-Bledsoe with the 2023 Friend of Kentucky Cities Award.

Mr. Chaney stated that despite his love of traveling within the state, Lexington was chosen to be the home and headquarters of the Kentucky League of Cities. He went on to note that the KLC Board of Directors voted to award 20 legislators with the 2023 Friend of Kentucky Cities recognition for their advocacy and passage of legislation.

Senator Mays-Bledsoe shared it had been an honor to represent Lexington at the State level and that she would continue to fight for her constituents.

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Mayor Gorton asked Kay Sargent, Executive Director of Lexington Sister Cities, to join her at the podium, along with Ms. LeGris and the delegation from the County Kildare, Ireland, and read a Proclamation declaring October 14, 2023 as Sister Cities International Day in Lexington.

Mayor Gorton presented following members of the delegation with a key to the City: Sonya Kavanagh – Kildare County Chief Executive, Fintan Brett – Kildare County Counselor and former Mayor, Ellen Brett (Fintan’s wife), Marian Higgins – Kildare County Director of Services, Aine Mangan – CEO, County Kildare Tourism, David Mongey – Chair of Board, County Kildare Tourism, Anne O’Keeffe – Board Member, County Kildare Tourism, Don O’Keeffe (Anne’s husband), Sinead Ronan – Public Affairs Manager, County Kildare Chamber of Commerce, Laura McGee – CEO, Thoroughbred Country, Senan Griffin – Twinning Committee, Marjorie Moore – Twinning Committee, and Peter O’Murchu – Twinning Committee.

Mayor Gorton thanked each member for their friendship.

Ms. LeGris offered a warm welcome to their friends from County Kildare.

Ms. Kavanagh expressed gratitude for the recognition and the hospitality they had received. She spoke of the bond between Ireland and Kentucky through the horse industry and closed with what an honor it was to be there.

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

Aye: J. Brown, Ellinger, Elliott Baxter, Fogle, -----15
Gray, LeGris, Lynch, Monarrez, Plomin,
Reynolds, Sevigny, Sheehan, Worley,
Wu. F. Brown

Nay: -----0

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$86,283.75 to provide funds for Council Capital Projects in the Divs. of Parks and Recreation and Historic Preservation, and appropriating and re-appropriating funds, Schedule No. 15.

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. 14.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$75,000 to provide funds for Council Capital Projects in the Divs. of Parks and Recreation and Traffic Engineering, and appropriating and re-appropriating funds, Schedule No. 16.

An Ordinance amending the salary range for the position of Council Administrator, Grade Z80, establishing a grade minimum of \$2,769.52 bi-weekly and a grade maximum of \$4,594.88 bi-weekly, effective September 18, 2023.

An Ordinance ratifying the Unclassified Civil Service pay increases of the Secretaries of the Board of Trustees of the Police and Fire Pension Fund, as follows: Susan Redmon, Administrative Specialist Sr., Grade 518N, from \$33.336 hourly to \$35.679 hourly, and Tonia Walters, Administrative Specialist Sr., Grade 518N, from \$26.332 hourly to \$30.545 hourly, all in the Dept. of Finance, pursuant to a recommendation of the Board of Trustees of the Police and Fire Pension Fund, effective the next pay period following passage of Council.

An Ordinance partially closing Concord Dr.; determining that the property owners abutting Concord Dr. have been identified, provided with written notice of the proposed closing, and consented thereto in writing; and authorizing the Mayor, on behalf of the Urban County Government, to execute Quitclaim Deeds and any other documents necessary to transfer portions of the former right-of-way to the abutting owners, subject to the reservation of easements and restrictions.

An Ordinance amending the authorized strength by creating ten (10) Classified Civil Service Positions of Public Service Worker, Grade 508N, in the Div. of Waste Management; creating one (1) classified Civil Service Position of Public Service Supervisor, Grade 518N, in the Div. of Waste Management, all effective July 1, 2023.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government for Council Appropriations for various projects from American Rescue Plan Act (ARPA) State and Local Recovery Funds, as approved September 28, 2023, and appropriating and re-appropriating funds, Schedule No. 18.

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An Ordinance amending Section 22-53.1(c) of the Code of Ordinances related to Police Academy examination for appointment, to reduce the minimum age requirement from at least twenty-one (21) years of age to at least twenty (20) years of age, if the candidate will be twenty-one (21) years of age at the time of becoming certified received first reading.

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

Upon motion by Vice Mayor Wu, and seconded by Ms. Elliott Baxter, the ordinance was approved by the following vote:

Aye: J. Brown, Ellinger, Elliott Baxter, Fogle, -----15
Gray, LeGris, Lynch, Monarrez, Plomin,
Reynolds, Sevigny, Sheehan, Worley,
Wu. F. Brown

Nay: -----0

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The following ordinances received first reading and were ordered to be placed on file for public inspection until October 26, 2023:

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. 17.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$96,092 to provide funds for Council Capital projects in the Divs. of Parks and Recreation, Environmental Services, and Traffic Engineering, and appropriating and re-appropriating funds, Schedule No. 20.

An Ordinance amending the Classified Civil Service authorized strength by changing classification titles within Divs. as follows: changing two (2) Classified Civil Service Positions of Social Worker, Grade 516E, to Social Services Worker, Grade 516E, retitling the incumbents, in the Div. of Community and Resident Services; changing fifteen (15) Classified Civil Service Positions of Child Care Program Aide, Grade 510N, to early Childcare Assistant Teacher, Grade 510N, retitling the incumbents, in the Div. of Family Services; changing two (2) Classified Civil Service Positions of Social Worker, Grade 516E, to Social Services Worker, Grade 516E, retitling the incumbents, in the Div. of Family Services; changing one (1) Classified Civil Service Position of Social Worker, Grade 516E, to Social Services Worker, Grade 516E, retitling the incumbent, in the Div. of Youth Services; amending the Unclassified Civil Service authorized strength by changing classification titles within Divs. as follows: changing one (1) Unclassified Civil Service Position of Social Worker, Grade 516E, to Social Services Worker, Grade 516E,

retitling the incumbent, in the Div. of Aging and Disability Services; changing one (1) vacant Unclassified Civil Service Position of Child Care Program Aide, Grade 510N, to early Childcare Assistant Teacher, Grade 510N, in the Div. of Family Services; changing two (2) vacant Unclassified Civil Service Positions of Child Care Program Aide P/T, Grade 510N, to early Childcare Assistant Teacher P/T, Grade 510N, in the Div. of Family Services; and changing one (1) vacant Unclassified Civil Service Position of Social Worker, Grade 516E, to social services worker, Grade 516E, in the Div. of Youth Services, all effective upon passage of Council.

An Ordinance amending the authorized strength by creating one (1) Classified Civil Service Position of Environmental Initiatives Specialist, Grade 518N, in the Div. of Environmental Services, effective July 1, 2023.

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At 6:40 p.m., Ms. Plomin departed the meeting.

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

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

Nay: -----0

Absent: Plomin

A Resolution amending Resolution No. 42-2022 (as previously amended by Resolution No. 163-2023) to increase the cost of easement acquisition (and other property rights necessary) for the Wolf Run Main Trunk F Sanitary Sewer project, a Remedial Measures Project required by the Consent Decree, by \$31,600, from \$134,614 to \$166,214.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute amendment with MedAware, for amending the scope of work for the Community Paramedicine team.

A Resolution establishing Burdine Security Group as a sole source provider of electronic access systems for the Div. of Facilities & Fleet Management, and authorizing the Mayor, or her designee, on behalf of the Urban County Government, to execute any

necessary agreements with Burdine Security Group related to the procurement of these goods and services.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 8 to the Agreement with ATS Construction, for the Town Branch Trail Phase 6, increasing the Contract price by \$468,463.62 and raising the total Contract price to \$5,692,528.37.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. 9 to the Agreement with Gresham Smith and Partners for construction administrative services related to the Town Branch Commons Corridor project, at a cost not to exceed \$100,404.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Institute of Police Technology and Management (IPTM), for thirty officers to attend four IPTM courses, at a cost not to exceed \$57,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Amendment No. 2 to the Public Transportation Grant Agreement with the Ky. Transportation Cabinet to accept additional Commonwealth of Ky. funds in the amount of \$72,600, the acceptance of which obligates the Urban County Government to the expenditure of \$18,150 as a local match, and to extend the period of performance to June 30, 2024, for the Federal Transit Administration Section 5303 Grant, awarded for transportation planning activities under the Unified Planning Work Program, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement related to Neighborhood Development Funds with Ky. Conference for Community and Justice dba the Plantory (\$900); Natalie's Sisters, Inc. (\$1,350); 16th District PTA Inc. c/o Mary Todd Elementary PTA (\$1,000); and the Lexington Stryders Incorporated (\$500), for the Office of the Urban County Council, at a cost not to exceed the sum stated.

A Resolution establishing a Residential Parking Permit Program for the 300 block of Merino St., the 300 block of Madison Pl., 700 and 800 blocks of West Maxwell St., 700

and 800 blocks of West High St. and 628, 630 West High St. twenty-four (24) hours per day, Monday through Sunday.

A Resolution accepting the bid of Lagco, Inc., in the amount of \$564,239, for Meadowthorpe Subdivision Stormwater Improvements, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Lagco, Inc., related to the bid.

A Resolution accepting the bid of Mac Construction & Excavating, Inc., in the amount of \$3,570,000, for Parkers Mill Trunk Sewer F, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Mac Construction & Excavating, Inc., related to the bid

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: Angus Trail; Ash Rapids; Barleys Pass; Bay Shoals Dr.; Butterfield Way; Buttermilk Rd.; Calendula Rd.; Cravat Pass; Dockside Park; Eden Cove; Flying Ebony Dr.; Harrison Trace; Haywood Cove; Hollyhock Dr.; Huntly Place; Koah Park; Meadowlark Rd.; Night Heron Way; Peaks Mill Dr.; Squirrel Nest Lane; Stolen Horse Trace; Twilight Shadow Dr.; Wading Creek Trail; White Oak Trace; Windflower Way; Versailles Rd.; and Wyndham Hills Dr.

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 Liberty Rd.

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: Clemens Dr.; Foxe Basin Rd.; Langhorne Dr.;

Neal Dr.; Northbay Dr.; Quebec Way; Retrac Rd.; Sawyer Court; Shirlee Dr.; and Stillwater Rd.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement, the final form of which is subject to the approval of the Dept. of Law and the Div. of Grants and Special Programs, with Davis Park Station Limited Liability Limited Partnership, under the HOME Investment Partnerships Program, to allocate \$950,000 of Federal funds awarded under the American Rescue Plan Act (ARPA) to construct five (5) units of housing and to provide housing and supportive services to individuals and households who are homeless, at risk of homelessness, or other vulnerable populations, and further authorizing the Mayor to execute any amendments related to this Agreement.

A Resolution amending Resolution No. 457-2020 (as previously amended by Resolution Nos. 162-2022 and 250-2022) to increase the cost of easement acquisition (and other property rights necessary) for the New Circle Rd. Trunk Sewers A & B Project, a Remedial Measures Project required by the Consent Decree, by \$30,635.00, from \$132,413.27 to \$163,048.27.

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 555 East Fifth St.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with the Bluegrass Area Development District, for FY 2024 local dues payment to support aging services, workforce development, and regional planning, at a cost not to exceed \$61,288.30.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with the Bluegrass Area Development District, to provide a regional match to the state-funded Homecare Program, at a cost not to exceed \$48,610.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with LexisNexis Risk Solutions, for sharing of crime data, at a cost not to exceed \$4,800.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Atlantic Emergency Solutions, for full refurbishment of a 2003 Pierce Dash Ladder Truck, at a cost not to exceed \$1,151,768.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Kathy H. Witt, Sheriff of Fayette County, for the collection of the Ad Valorem Urban Service District Taxes for the 2023 property tax year, at a cost not to exceed \$350,000, with the payments to be treated as a commission and the Urban County Government to receive any related payment (\$87,500) from the Commonwealth of Ky.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from Ky. Office of the Attorney General, of 200 Deterra Drug Deactivation System Bags, for use at the Community Paramedicine Program, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 3 to the Contract with EOP Architects, for design services of the elevator repairs in the Government Center, increasing the Contract price by the sum of \$9,740.00, from \$96,172.28 to \$105,912.28.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Office of Homeland Security under the FY2021 State Homeland Security Grant Program, for the Div. of Police Air Support Unit, extending the period of performance through June 30, 2024, and further authorizing the Mayor to execute any other necessary amendments related to that Agreement.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Neighborhood Action Match Grant Program Contracts with Andover Forest Homeowners Association (\$7,500), Andover Neighborhood Association, Inc. (\$7,500), Beaumont Residential Association (\$7,500), Bent Tree Condominium Association (\$7,500), Cumberland Hills Association (\$1,782), Dove Creek Townhome Owner's Association (\$7,275), Gleneagles Owner's Association (\$7,500), Gratz Park Neighborhood Association (\$3,000), Heritage Place (\$7,450), Lexington Court Townhomes (\$7,500), Main and Rose Condo Association (\$5,531), Palomar Hills (\$7,450), Palomar Reserve (\$7,500), Pensacola Park (\$2,140), Picadome Neighborhood

Association (\$1,500), Pinnacle Homeowners Association (\$7,500), The Gardens of Hartland HOA (\$7,500), West Wind Homeowners Association (\$7,500), and Willow Oak Homeowners Association (\$2,491), for the purpose of carrying out various neighborhood activities and improvements for FY 2024, at a cost not to exceed \$113,619.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept an award from the Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas Counties, Inc., which Grant funds are in the amount of \$48,309.12 in Federal funds for the provision of early childhood care and education services under the Early Head Start Program at the Family Care Center for FY 2024, the acceptance of which obligates the Urban County Government to the expenditure of \$12,077.28 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept an award of an additional \$264,402 in Federal funds under the American Rescue Plan Act (ARPA), from the Ky. Cabinet for Health and Family Services, Dept. for Community Based Services, to support child care expenses at the Family Care Center, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and 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. Board of Emergency Medical Services of \$10,000 in Commonwealth of Ky. funds, for the Div. of Fire and Emergency Services for FY 24, 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 an Agreement with the Ky. Office of Homeland Security under the FY 2021 State Homeland Security Grant Program, for the Div. of Police Hazardous Device Unit, extending the period of performance through June 30, 2024, and further authorizing the Mayor to execute any other necessary amendments related to that Agreement.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Modification No. 1 to an Agreement with the Commonwealth of Ky. Dept. of Military Affairs, Div. of Emergency Management, for the Emergency Generator Project at the Div. of Streets and Roads, to include additional language to the agency terms and conditions.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement related to Neighborhood Development Funds with Frankie's Corner Little Thoroughbred Crusade, Inc (\$1,200); Lafayette High School Cross Country Booster Club, Inc. (\$650); 16th District PTA Inc. c/o Yates Elementary PTA (\$1,000); and American Heart Association, Inc. (\$250), for the Office of the Urban County Council, at a cost not to exceed the sum stated.

A Resolution amending Appendix A, Rules and Procedures of the Lexington-Fayette Urban County Council, as follows: amending Section 4.106 relating to public comment during meetings, to set forth the process for public comment at Council Meetings and Council Work Sessions and to adopt guidelines for public participation at Council Meetings and Council Work Sessions; amending Section 4.107 relating to distribution of informational materials by members of the public during meetings, to provide for materials to be distributed to Council by placement in a tray outside Council Chambers; and amending Section 4.108 relating to public hearings and public forums, to delete a redundant provision related to public comment.

A Resolution condemning necessary permanent and temporary easements across the property located at 2710 Sullivans Trace, for the Spurr Rd. and Dotson Pump Station Elimination Project, and authorizing the Dept. of Law to institute condemnation proceedings in Fayette Circuit Court.

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A Resolution accepting the bid of Wooldridge Homes, Inc., in the amount of \$144,585, for demolition at Kelley River Property, for the Div. of Parks & Recreation, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Wooldridge homes, Inc., related to the bid received first reading.

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

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

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

Nay: -----0

Absent: Plomin

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A Resolution naming recently acquired park property located at 8949 Old Richmond Rd. as Kelley's Landing, pursuant to CAO Policy No. 49: naming policy for park lands, features and facilities received first reading.

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

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

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

Nay: -----0

Absent: Plomin

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an addendum to the U.S. Communities Contract No. 18220 for a multi-year Agreement with Kronos, Inc., to specify the Statement of Work and related provisions, for the Dimensions Migration Project, for the Chief Information Officer, at a cost estimated not to exceed \$110,679.32 in FY24, and further authorizing the Mayor to execute any necessary amendments with Kronos, Inc. related to this project received first reading.

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

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

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

Nay: -----0

Absent: Plomin

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Dept. of Education/Div. of School and Community Nutrition seeking \$79,000 in Federal funds for participation in the United States Dept. of Agriculture's Child Care Food Program, for provision of breakfast, lunch, and supplements to children at the Family Care Center in FY 2024, and to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, 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 received first reading.

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

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

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

Nay: -----0

Absent: Plomin

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement Renewal (first year) with Bateman Community

Living an Elior Co. dba Trio Community Meals, LLC, for catering services for the Family Care Center, at a cost not to exceed \$174,331.60 received first reading.

Upon motion by Ms. Reynolds, seconded by Vice Mayor Wu, and approved by majority vote (Plomin was absent), the rules were suspended and the resolution received second reading.

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

Aye:

J. Brown, Ellinger, Elliott Baxter, Fogle, Gray, LeGris, Lynch, Monarrez, Reynolds, Seigny, Sheehan, Worley, Wu. F. Brown

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Nay:

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Absent:

Plomin

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. State Police-Vehicle Enforcement Div., 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 \$102,000 in Federal funds for the continued operation of the Motor Carrier Safety Assistance Program (MCSAP) for FY 2024, the acceptance of which obligates the Urban County Government to the expenditure of \$18,344 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget received first reading.

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

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

Aye:

J. Brown, Ellinger, Elliott Baxter, Fogle, Gray, LeGris, Lynch, Monarrez, Reynolds, Seigny, Sheehan, Worley, Wu. F. Brown

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Nay:

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Absent:

Plomin

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Ky. House Bill (HB) 1 Jail Arraignment Equipment Grant Application for up to \$113,583 in HB 1 Project funds with the Dept. for Local Government (DLG) for the Div. of Corrections, to provide additional information and execute any documents which are deemed necessary by DLG to carry out this project, and to accept this Grant if the application is approved; and authorizing the Mayor to transfer unencumbered funds within the Grant Budget received first reading.

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

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

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

Nay: -----0

Absent: Plomin

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A Resolution authorizing the Div. of Police to purchase signal devices from Axon Enterprises, Inc., a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Axon Enterprises, Inc., related to the procurement received first reading.

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

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

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

Nay: -----0

Absent: Plomin

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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 Colors of Promise Lexington KY Inc., (\$490); Castlegate Maintenance Association, Inc. (\$1,450); and Paul Laurence Dunbar Swim Team Boosters, Inc. (\$450), for the Office of the Urban County Council, at a cost not to exceed the sum stated received first reading.

Upon motion by Ms. Fogle, seconded by Vice Mayor Wu, and approved by majority vote (Plomin was absent), the rules were suspended and the resolution received second reading.

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

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

Nay: -----0

Absent: Plomin

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The following resolutions received first reading and were ordered to be placed on file for public inspection until October 26, 2023:

A Resolution ratifying the Permanent Classified Civil Service Appointments of: Michael Lemaster, Environmental Enforcement Specialist, Grade 518N, \$27.756 hourly in the Div. of Environmental Services, effective October 10, 2023, Shelby Thorne, Accountant, Grade 518N, \$25.218 hourly in the Div. of Grants and Special Programs, effective September 27, 2023, Boyd Sewe, Planner Senior, Grade 523N, \$33.318 hourly in the Div. of Planning, effective September 13, 2023.

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 551 Shropshire Ave.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement (RFP No. 35-2023), using funds awarded under the American Rescue Plan Act of 2021 (ARPA), with Edward Holmes, Inc. dba EHI Consultants, for an affordable housing needs analysis, at a cost not to exceed \$188,000, and further authorizing the Mayor to execute any other necessary amendments, addenda, or other documents related to these funds.

A Resolution authorizing the Div. of Fire and Emergency Services to purchase software solution from Interview Now Inc., a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Interview Now Inc., related to the procurement, at a cost not to exceed \$10,500.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with City of Winchester, for paramedic training for one Firefighter from Winchester Fire Dept.

A Resolution authorizing the Div. of Streets and Roads to purchase snowplow parts from J. Edinger and Sons, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with J. Edinger and Sons, related to the procurement, at a cost not to exceed \$31,251.60.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with LexArts, Inc., to provide a first year salary for a new Grant Specialist position and to support diversity, equity, inclusion and accessibility through Arts Equity Grants, at a cost not to exceed \$100,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Site Specific Agreement with the Jessamine South Elkhorn Water District and Long Ridge Development, LLC/ Long Ridge Plantation, LLC, to provide sanitary sewer conveyance and treatment capacity to the Drake's Landing Unit 4 property in Jessamine County.

A Resolution authorizing the Div. of Fire and Emergency Services to purchase eSOPH background software system from Miller Mendel, Inc., a sole source provider, and

authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Miller Mendel, Inc., related to the procurement, at a cost not to exceed \$13,950.

A Resolution authorizing the Div. of Emergency 911 to purchase ECaTS statistical package from Intrado Life & Safety Solutions, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Intrado Life & Safety Solutions, related to the procurement, at a cost not to exceed \$7,579.20.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with NQTL Analysis Service to complete a required extensive analysis of Lexington-Fayette Urban County Government's four health insurance plans, at a cost not to exceed \$4,749.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement and any other necessary documents with Anthem for the Medicare Advantage Plan for the Police and Fire Retirement Fund, for the period beginning January 1, 2024 through December 31, 2024.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 1 for acceptance of \$28,000 in supplemental Federal funds from the Ky. Transportation Cabinet Surface Transportation Program (SLX), for the design phase of the Armstrong Mill Shared Use Path Project, the acceptance of which obligates the Urban County Government to the expenditure of \$7,000 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget for these Grants.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Office of Homeland Security, which Grant funds are in the amount of \$9,070 in Federal funds under the FY 2020 Homeland Security Grant Program, in order to purchase Blackline Multi-Gas Monitors and Calibration Equipment for the Div. of Fire and Emergency Services' Special Operations Team, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept an additional award of \$75,626 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 accept a Grant from the U.S. Dept. of Justice (DOJ) under the Edward Byrne Memorial Justice Assistance Grant Program - FY 2024, which Grant funds are in the amount of \$144,461 in Federal funds, for the purchase of equipment and technology investments for the Div. of Police, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 4 to accept a Grant of \$52,000 in Federal funds from the Ky. Transportation Cabinet Surface Transportation Program (SLX), for the construction phase of the Rosemont Garden Sidewalk Project, the acceptance of which obligates the Urban County Government to the expenditure of \$13,000 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, for the Div. of Police to donate equipment items that are no longer in use to the Lexington Public Safety Museum.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement (RFP No. 34-2023) with TSW for development of an Urban Growth Management Master Plan, at a cost not to exceed \$563,100.

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Upon motion by Ms. Fogle, and seconded by Vice Mayor Wu, the Communications from the Mayor (Appointments) were approved by majority vote (Plomin was absent) and were as follows: (1) Recommending the appointment of Eric Sutherland, Urban Forester,

filling the unexpired term of Tim Queary, to the Corridors Commission, with term expiring October 1, 2025; (2) Recommending the reappointment of Ed Holmes to the Lexington Center Corporation, with term expiring July 1, 2027; (3) Recommending the appointment of Eric Sutherland, Urban Forester, Replaces Tim Queary, Ex officio, to the Tree Board, with no term expiration; and, (4) Recommending the reappointment of David Lowe to the Water Quality Fees Board, with term expiring December 31, 2027.

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

(1) Probationary Classified Civil Service Appointment of Carlton Chenault, Support Specialist, Grade 512N, \$20.500 hourly in the Div. of Computer Services, effective October 9, 2023; (2) Probationary Classified Civil Service Appointment of Charlene Ptasnik, Revenue Compliance Auditor, Grade 521N, \$28.594 hourly in the Div. of Revenue, effective October 16, 2023; (3) Probationary Classified Civil Service Appointment of Alfred Godfrey, Public Service Worker Sr., Grade 510N, \$16.180 hourly in the Div. of Streets and Roads, effective October 16, 2023; (4) Probationary Classified Civil Service Appointment of Baba Obaro, Public Service Worker Sr., Grade 510N, \$16.905 hourly in the Div. of Streets and Roads, effective October 9, 2023; (5) Probationary Classified Civil Service Appointment of Jody Hardin, Treatment Plant Operator, Grade 518N, \$25.338 hourly in the Div. of Water Quality, effective October 9, 2023; (6) Probationary Classified Civil Service Appointment of Steven Williams, Industrial Mechanic, Grade 517N, \$24.330 hourly in the Div. of Water Quality, effective October 23, 2023; (7) Probationary Classified Civil Service Appointment of John Rothrock, Attorney Sr., Grade 530E, \$3,924.88 biweekly in the Dept. of Law, effective October 16, 2023; (8) Probationary Classified Civil Service Appointment of Kyle Thomas, Telecommunicator, Grade 517N, \$25.297 hourly in the Div. of Enhanced 911, effective October 16, 2023; (9) Probationary Classified Civil Service Appointment of Samantha Wittig, Telecommunicator, Grade 517N, \$23.824 hourly in the Div. of Enhanced 911, effective October 16, 2023; (10) Probationary Classified Civil Service Appointment of Malcolm Berry, Skilled Trades Worker, Grade 515N, \$22.000 hourly in the Div. of Community Corrections, effective October 9, 2023; (11) Probationary Classified Civil Service Appointment of Amielia Clark, Staff Assistant Sr., Grade 511N, \$17.391 hourly in the Div.

of Police, effective October 9, 2023; (12) Probationary Classified Civil Service Appointment of Marisol Contreras, Victim's Advocate, Grade 518N, \$25.338 hourly in the Div. of Police, effective September 25, 2023; (13) Probationary Classified Civil Service Appointment of Brian Wells, Staff Assistant Sr., Grade 511N, \$18.778 hourly in the Div. of Code Enforcement, effective October 16, 2023; (14) Probationary Classified Civil Service Appointment of Dewayne Boyd, Public Service Worker Sr., Grade 510N, \$19.289 hourly in the Div. of Parks and Recreation, effective October 9, 2023; (15) Probationary Classified Civil Service Appointment of Brian Huddle, Public Service Worker, Sr., Grade 510N, \$19.289 hourly in the Div. of Parks and Recreation, effective October 9, 2023; (16) Probationary Classified Civil Service Appointment of James Mills, Planner, Grade 519N, \$27.000 hourly in the Div. of Planning, effective October 9, 2023; (17) Probationary Sworn Community Corrections Appointment of Autumn Lynn, Community Corrections Officer, Grade 110N, \$24.205 hourly in the Div. of Community Corrections, effective September 25, 2023; (18) Probationary Sworn Community Corrections Appointment of Alex LeMay, Community Corrections Officer, Grade 110N, \$24.205 hourly in the Div. of Community Corrections, effective September 25, 2023; (19) Probationary Sworn Community Corrections Appointment of Isaac Landsaw, Community Corrections Officer, Grade 110N, \$24.205 hourly in the Div. of Community Corrections, effective September 25, 2023; (20) Probationary Sworn Community Corrections Appointment of Taryn Rose, Community Corrections Officer, Grade 110N, \$24.205 hourly in the Div. of Community Corrections, effective September 25, 2023; (21) Probationary Sworn Community Corrections Appointment of Scott Logsdon, Community Corrections Officer, Grade 110N, \$24.205 hourly in the Div. of Community Corrections, effective September 25, 2023; (22) Probationary Sworn Community Corrections Appointment of Terry Cobern, Community Corrections Officer, Grade 110N, \$24.205 hourly in the Div. of Community Corrections, effective September 25, 2023; (23) Probationary Sworn Community Corrections Appointment of Yancey Hearn, Community Corrections Officer, Grade 110N, \$24.205 hourly in the Div. of Community Corrections, effective September 25, 2023; (24) Probationary Sworn Community Corrections Appointment of Kevin Thomas, Community Corrections Officer, Grade 110N, \$24.205 hourly in the Div. of Community Corrections, effective October 9, 2023; (25) Probationary Sworn Community Corrections Appointment

of Jeremy Carter, Community Corrections Officer, Grade 110N, \$24.205 hourly in the Div. of Community Corrections, effective October 9, 2023; (26) Probationary Sworn Community Corrections Appointment of Christopher Campbell, Community Corrections Officer, Grade 110N, \$24.205 hourly in the Div. of Community Corrections, effective October 9, 2023; (27) Probationary Sworn Community Corrections Appointment of Traiel Spencer, Community Corrections Officer, Grade 110N, \$24.205 hourly in the Div. of Community Corrections, effective October 9, 2023; (28) Probationary Sworn Community Corrections Appointment of Chanell Ross, Community Corrections Officer, Grade 110N, \$24.205 hourly in the Div. of Community Corrections, effective October 9, 2023; (29) Probationary Sworn Community Corrections Appointment of Erica Coleman, Community Corrections Officer, Grade 110N, \$24.205 hourly in the Div. of Community Corrections, effective October 9, 2023; (30) Probationary Sworn Community Corrections Appointment of Nicholas Barnett, Community Corrections Officer, Grade 110N, \$24.205 hourly in the Div. of Community Corrections, effective October 9, 2023; (31) Probationary Sworn Community Corrections Appointment of Iva Hulett, Community Corrections Officer, Grade 110N, \$24.205 hourly in the Div. of Community Corrections, effective October 9, 2023; (32) Probationary Sworn Community Corrections Appointment of Austin Asbury, Community Corrections Officer, Grade 110N, \$24.205 hourly in the Div. of Community Corrections, effective October 9, 2023; (33) Probationary Sworn Community Corrections Appointment of William Makarewicz, Community Corrections Officer, Grade 110N, \$24.205 hourly in the Div. of Community Corrections, effective October 9, 2023; (34) Probationary Sworn Community Corrections Appointment of James Turner, Community Corrections Officer, Grade 110N, \$24.205 hourly in the Div. of Community Corrections, effective October 9, 2023; (35) Unclassified Civil Service Appointment of Austin Dockery, Public Works Apprentice, Grade 504N, \$15.809 hourly in the Div. of Streets and Roads, effective October 16, 2023; (36) Unclassified Civil Service Appointment of Stephen Jackson, Public Work Apprentice, Grade 504N, \$15.922 hourly in the Div. of Streets and Roads, effective October 16, 2023; (37) Unclassified Civil Service Appointment of William Drexel Wells, Associate Traffic Engineer, Grade 522E, \$2,312.96 biweekly in the Div. of Traffic Engineering, effective October 9, 2023; (38) Unclassified Civil Service Appointment of Nikole Mayfield, Program Supervisor PT, Grade 508N, \$17.271 hourly in

the Div. of Aging Services, effective October 16, 2023; (39) Unclassified Civil Service Appointment of Patricia Mott, Social Worker, Grade 516E, \$1,866.88 biweekly in the Div. of Youth Services, effective October 23, 2023; (40) Unclassified Civil Service Appointment to the Urban County Council of Olivia Grigsby, Aide to Council, Grade 518E, \$2,634.64 biweekly in the Office of the Urban County Council, effective October 9, 2023; (41) Lateral Transfer of Latricia Garrison, Administrative Specialist, Grade 516N, \$22.851 hourly in the Div. of Traffic Engineering, effective October 9, 2023; (42) Classified Civil Service Temporary Appointment of Bryan Beasley, Project Manager Sr., Grade 522N, \$32.655 hourly in the Div. of Streets and Roads, effective October 9, 2023; (43) Classified Civil Service Temporary Appointment of Greg Taulbee, Operations Supervisor, Grade 519E, \$2,477.52 biweekly in the Div. of Streets and Roads, effective October 9, 2023; (44) Classified Civil Service Temporary Appointment of Sandra Burke, Administrative Officer Sr., Grade 526E, \$3,316.24 biweekly in the Dept. of Environmental Quality & Public Works, effective October 2, 2023; (45) Termination of Shynice Addison, Public Service Worker, Div. of Waste Management, effective September 4, 2023; (46) Resignation of Donna Jones, Equipment Operator Sr., Div. of Streets and Roads, effective September 1, 2023; (47) Resignation of Jamie Lankford, Industrial Mechanic, Div. of Water Quality, effective September 1, 2023; (48) Resignation of Darrell Doty, Police Analyst, Div. of Police, effective September 4, 2023; (49) Resignation of Shannon Sullivan, Corrections Officer, Div. of Community Corrections, effective September 5, 2023; (50) Resignation of Steven A. Gilliam, Public Service Worker Sr., Div. of Parks and Recreation, effective September 7, 2023; (51) Resignation of Matthew Sacre, Corrections Officer, Div. of Community Corrections, effective September 7, 2023; (52) Resignation of Brian Castro, Corrections Officer, Div. of Community Corrections, effective September 10, 2023; (53) Resignation of Jerrad VanHoose, Firefighter - 56, Div. of Fire and Emergency Services, effective September 10, 2023; (54) Resignation Michael McPeake, Corrections Officer, Div. of Community Corrections, effective September 11, 2023; (55) Resignation of Victor Reyes-Figueroa, Resource Recovery Operator, Div. of Waste Management, effective September 14, 2023; (56) Resignation of Joseph Shields, Corrections Officer, Div. of Community Corrections, effective September 14, 2023; (57) Resignation Stacey Maynard, Council Administrator, Council office, effective September

15, 2023; (58) Resignation of Nhu Ngoc Truong, Safety/Loss Control Specialist, Div. of Human Resources, effective September 15, 2023; (59) Resignation of Chapman Collier, Support Specialist, Div. of Computer Services, effective September 17, 2023; (60) Resignation of Holly Buchenroth, Firefighter, Div. of Fire and Emergency Services, effective September 21, 2023; (61) Resignation of Adam Brown, Resource Recovery Operator, Div. of Waste Management, effective September 22, 2023; (62) Resignation of Sarah Reynolds, Historic Preservation Spec., Div. of Historic Preservation, effective September 22, 2023; (63) Resignation of Robert Kierstead, Industrial Mechanic, Div. of Water Quality, effective September 24, 2023; and, (64) Resignation of William Ohmer, Aide to Council, Council Office, effective September 27, 2023.

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At 7:04 p.m., Mr. Worley departed the meeting.

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Chief Lawrence Weathers, Div. of Police, presented a disciplinary matter regarding Sergeant Phillip Johnson. An allegation has been made that Sergeant Johnson has committed the offense of Misconduct, Department Reports which constitutes misconduct under the provisions of KRS 95.450 and/or KRS 15.520 and General Order 1973-02K, Disciplinary Procedures, Appendix B, Operational Rule 1.02- Misconduct and Operational Rule 1.19 Department Reports in that on the 26 day(s) of June 2023, he/she allegedly:

(1) While responding to a disorder, Sergeant Phillip Johnson used force to affect an arrest causing a minor injury to the suspect's lip. Sergeant Johnson failed to complete the required paperwork related to the response to resistance and failed to notify a supervisor per policy.

During the incident Sergeant Johnson's behavior was unprofessional. Probable cause was stipulated in court, but the case was ultimately dismissed. Sergeant Johnson took full responsibility for the incident and his violations of policy.

At the conclusion of the investigation it was determined Sergeant Phillip Johnson was in violation of Operational Rule 1.02 Misconduct and Operational Rule 1.19 Department Reports

This is Sergeant's Johnson's first sustained formal complaint since his employment began on 2013.

The appropriate punishment for this conduct is One Month (160 hours) suspension without pay.

Upon motion by Ms. Elliott Baxter, seconded by Vice Mayor Wu and approved by majority vote (Fogle voted no, Plomin and Worley were absent), the disciplinary recommendation was approved.

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Chief Lawrence Weathers, Div. of Police, presented a disciplinary matter regarding Officer Marcus Olmstead. An allegation has been made that Officer Olmstead has committed the offense of Engaging in an unauthorized vehicle pursuit and not wearing a seatbelt 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 1.35- Violating Rules of the Department and Operational Rule 1.13 Operations of Vehicles in that on the 5th day(s) of June 2023, he/she allegedly:

- (1) Officer Marcus Olmstead was involved in a vehicle pursuit where the occupants were only wanted for a non-violent felony (stolen car). Officer Olmstead was given an order to discontinue the pursuit and he failed to obey the lawful order. During the pursuit of the vehicle, Officer Olmstead was not wearing a seatbelt as required by KRS and General Order.

Officer Olmstead took full responsibility for his actions.

This is Officer Olmstead's first formal complaint since his hire on May 23, 2022.

The appropriate punishment for this conduct is Two (2) week suspension without pay and thirty (30) day suspension of home fleet.

Upon motion by Ms. Elliott Baxter, seconded by Mr. Seigny and approved by majority vote (Fogle voted no, Plomin and Worley were absent), the disciplinary recommendation was approved.

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Chief Lawrence Weathers, Div. of Police, presented a disciplinary matter regarding Officer John McFaull. An allegation has been made that Officer McFaull has committed the offense of Engaging in an unauthorized pursuit 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 1.35- Violating Any Rules of the Department in that on the 5th day(s) of June 2023, he/she allegedly:

(1) Officer John McFaull was involved in a vehicle pursuit where the occupants were only wanted for a non-violent felony (stolen car). Officer McFaull was given an order to discontinue the pursuit and he failed to obey the lawful order. Officer McFaull took full responsibility for his actions.

This is Officer McFaull's first formal complaint since his hire on April 15, 2019. The appropriate punishment for this conduct is Two (2) week suspension without pay and thirty (30) day suspension of home fleet.

Upon motion by Vice Mayor Wu, seconded by Mr. Ellinger and approved by approved by majority vote (Fogle voted no, Plomin and Worley were absent), the disciplinary recommendation was approved.

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Ms. Gray thanked Chief Weathers for wishing her a happy birthday. She spoke of a recent honor bestowed upon her from Kentucky State University Alumni Association for her support during homecoming weekend. She also noted her attendance at a recent meeting of the Lexington Landlords Association and thanked Mr. Ellinger for his support during the question and answer portion of the meeting. She closed with remarks about the CivicLex hosted event, "Pumpkins, Policy, and Paintbrushes," and highlighted a few of the artistically decorated pumpkins.

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Mr. Reynolds spoke about a recent event held in her District to honor Chris Valdez, a teenage boy who lost his life when he became victim of gun violence earlier in the year. The event was held in order to plant a tree in his honor. Ms. Reynolds thanked Trees Lexington for the donation of the honorary tree and shared the impact the event had upon her. She thanked those who came out to partake in the event.

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Mr. Sevigny attended an event for the Phase 1 Plan of the newest park, Cardinal Run Park North. He highlighted some of the planned amenities the park will offer upon its completion.

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Ms. Fogle shared that on October 13, 2023 at 10:30 a.m., artists across the Bluegrass will gather, along with Governor Beshear, at the historic Lyric Theatre and Cultural Center in order to receive humanitarian-inspired awards and recognition for their overall contribution to the arts.

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Mr. Ellinger announced that on Thursday, October 19, 2023 from 6:00 p.m. to 7:15 p.m. there would be a BUILD meeting held at the Second Presbyterian Church at 460 E. Main St. in order to discuss public transportation and microtransit. There would also be a zoom link offered for virtual attendance.

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Ms. J. Brown mentioned the Charles Young Community Center's 10 year anniversary. He thanked Comm. Chris Ford, General Services, and the other Council members who assisted in preserving the Center for the community.

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Tiffany Pyette, District 5, spoke about income discrimination and housing vouchers, and her own experience with housing in Lexington.

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Stephen Krueger, District 10, spoke about income discrimination, housing vouchers, and protections from housing discrimination.

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Upon motion by Vice Mayor Wu, seconded by Ms. Elliott Baxter, and approved by majority vote (Plomin and Worley were absent) the Council went into closed session pursuant to KRS 61.8101(f).

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Upon motion by Mr. F. Brown, seconded by Vice Mayor Wu, and approved by majority vote (Plomin and Worley were absent), the Council returned to open session with the same members present and adjourned at 7:44 p.m.

Clerk of the Urban County Council