

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky October 24, 2024

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on October 24, 2024 at 6:00 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the Council: Ellinger, Elliott Baxter, Fogle, LeGris, Lynch, Monarrez (via virtual teleconference), Plomin, Reynolds, Sheehan, Worley, Wu, F. Brown, and J. Brown. Absent were Council Members Gray and Sevigny.

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

Ordinances No. 105-2024 through 111-2024, inclusive, and Resolutions No. 493-2024 through 520-2024, inclusive, were reported as having been signed and published and ordered to record.

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The Invocation was given by Pastor Jennifer Emedi of Destiny Community Church.

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At 6:02 p.m., Ms. Gray joined the meeting.

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Upon motion by Mr. Ellinger, seconded by Ms. Gray, and approved by unanimous vote, the Minutes of the September 26, 2024 and October 10, 2024 Council Meetings were approved.

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Mayor Gorton asked Darlene Thomas, Executive Director of Greenhouse17, to join her at the podium, along with Ms. Plomin, and read a Proclamation declaring October 24<sup>th</sup>, 2024 as Greenhouse17 Day in Lexington.

Ms. Thomas spoke about her experience with Greenhouse17 and how the organization has evolved to serve the community. She shared about her optimism about what Greenhouse17 had and could accomplish.

Ms. Plomin complimented Ms. Thomas's ability as an orator. She shared her pride in Greenhouse17 and in Ms. Thomas.

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

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

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 2025 Schedule No. 10.

An Ordinance of the Lexington-Fayette Urban County Government authorizing the issuance of its Various Purpose General Obligation Bonds, Series 2024B, in one or more subseries, in an aggregate principal amount of \$46,250,000 (which amount May be increased by an amount of up to ten percent (10%) or decreased by an unlimited amount); approving a form of Series 2024B Bonds; authorizing designated Officers to execute and deliver the Series 2024B Bonds; authorizing and directing the filing of notice with the State Local Debt Officer; providing for the payment and security of the Series 2024B Bonds; maintaining a Sinking Fund; creating a Bond Payment Fund for the Series 2024B Bonds; authorizing acceptance of the bid(s) of the bond purchaser of the Series 2024B Bonds; and repealing inconsistent Ordinances.

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The following Ordinances received first reading and were ordered to be placed on file for public inspection until November 14, 2024:

An Ordinance creating SubSection 6-53(b)(9) of the Code of Ordinances relating to pensions - other than Police and Firemen, specifically, pensions on retirement, to provide for an increase of three percent (3%) to each retiree's base annuity or the annuity paid to the retiree's widow or dependent children, effective January 1, 2025.

An Ordinance amending Section 21-37.3 of the Code of Ordinances of the Lexington-Fayette Urban County Government, relating to paid parental leave, as follows: amending Section 21-37.3(a) to define qualifying event to include placement for adoption of a newly adopted child with the employee; amending Section 21-37.3(b) to authorize up to four (4) weeks of paid parental leave for placement for adoption of a newly adopted child or for foster care placement or kinship placement of a child with the employee;

amending Section 21-37.3(c) to require appropriate documentation; and creating a new Section 21-37.3(d) to authorize the Director of Human Resources, on recommendation to and with approval of the Chief Administrative Officer, to find that special circumstances exist to authorize the use of paid parental leave, consistent with the goals and objectives of paid parental leave, all effective upon passage of Council.

An Ordinance changing the zone from a Planned Neighborhood Residential (R-3) zone to a Neighborhood Business (B-1) zone, for 0.602 net (0.913 gross) acre, for property located at 2094 and 2098 Harrodsburg Rd. (Brooke Properties, LLC; Council District 10).

An Ordinance changing the zone from a Planned Neighborhood Residential (R-3) zone to a Neighborhood Business (B-1) zone, for 0.16 net (0.28 gross) acre, for property located at 185 Eastern Ave. (Shadeland Investments, LLC; Council District 1).

An Ordinance amending the civil service authorized strength by abolishing one (1) classified position of Staff Assistant Sr., Grade 511N, and creating one (1) classified position of Administrative Specialist, Grade 516N, all in the Div. of Planning, effective upon passage of Council.

An Ordinance amending the civil service authorized strength by creating one (1) classified position of planner Sr., Grade 523N, in the Div. of Planning, effective upon passage of Council.

An Ordinance creating Chapter 8A of the Code of Ordinances relating to Notice Requirements for Construction or Demolition Blasting Operations; creating Section 8A-1 of the Code to define terms; creating Section 8A-2 of the Code to require blasters to provide notification to the Director of the Div. of Engineering before commencing blasting operations; creating Section 8A-3 of the Code regarding preemption; creating Section 8A-4 of the Code to set penalties for violation of Chapter 8A of the Code; to amend Section 14-10 of the Code to include employees within the Div. of Engineering as Citation Officers for the enforcement of Chapter 8A of the Code; and directing the Council Clerk, on behalf of the Urban County Government, to provide a certified copy of this Ordinance to the Ky. Dept. for Natural Resources for its approval; with Section 8 of this Ordinance effective upon passage of Council and the remaining provisions effective upon receipt of approval thereof from the Ky. Dept. for Natural Resources pursuant to KRS 351.335.

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 2025 Schedule No. 11.

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

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

Nay: -----0

A Resolution accepting the bid of Davis H. Elliot Construction Co. Inc., in the amount of \$696,754 for the Fiber Optic Expansion Project, for the Div. of Traffic Engineering, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Davis H. Elliot Construction Co. Inc., related to the bid.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Third Amendment to the Agreement (awarded pursuant to RFP No. 5-2023) with Mahan Multimedia, LLC, to revise the Budget in the amount of \$5,000) and to extend the period of performance through March 31, 2025, for the It's Time campaign and further authorizing the Mayor to execute any other necessary amendments with Mahan Multimedia, LLC, related to the Agreement.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with American Response Vehicle, for purchase of a new emergency care apparatus at a cost not to exceed \$436,936.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and other necessary documents, and to accept deeds from owners of record, for property interests needed for the St. Martins Village Pump Station Elimination Project, at a cost not to exceed \$30,000.

A Resolution of the Lexington-Fayette Urban County Government authorizing the advertisement for bids and the distribution of a Preliminary Official Statement for the purchase of the principal amount of its (I) Various Purpose General Obligation Bonds, Series 2024B, in an aggregate principal amount of \$46,250,000 (which amount May be increased by an amount of up to ten percent (10%) or decreased by an unlimited amount).

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a License Agreement with OVG Facilities, LLC, as agent for the Lexington Center, to host the annual Kiddie Kapers Spring Recital at the Lexington Opera House, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Lexington Christian Academy, to host the annual Kiddie Kapers Holiday Show, at an estimated cost not to exceed \$1,500.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Lexington-Fayette County Health Dept. for the Expanded First Responders and Community Partners Overdose Prevention Project (EFRCPOPP), funded under the U.S. Dept. of Health and Human Services First Responders - Comprehensive Addiction and Recovery Act Grant (FR-CARA), at a cost not to exceed \$205,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Grant Agreement with Town Branch Park, Inc. d/b/a Gatton Park on the Town Branch and the Lexington Center Corporation, for a Stormwater Quality Project, at a cost not to exceed \$383,000.

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 \$49,443.84 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 2025, the acceptance of which obligates the Urban County Government to the expenditure of \$12,360.96 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Non-Disclosure Agreement with Nick Loflin, for information analysis for economic impacts.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Clearspan Fabric Structures, for fabric replacement at a cost not to exceed \$109,574.68.

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At 6:35 p.m., Ms. Gray departed the meeting.

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A Resolution of the Lexington-Fayette Urban County Council approving the Economic Development Partnership with Madison County, Scott County, City of Berea, and City of Georgetown; authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Interlocal Cooperation Agreement, Membership Agreement, and other necessary and related documents, forming the Central Ky. Business Park Authority; and authorizing payment in the amount of \$2,125,000 to the Authority for the purpose of carrying out the duties and powers of the authority as limited by the aforementioned Agreements and relevant state law; all contingent upon approval of the authority's creation, and execution of all necessary Agreements, by all parties to the Interlocal Cooperation Agreement was on the docket for first reading.

Upon motion by Mr. J. Brown, seconded by Ms. Elliott Baxter, and approved by majority vote (Ms. Gray was absent), the resolution was amended to remove any reference to the City of Richmond and to make the resolution contingent upon approval of the authority's creation, and execution of all necessary Agreements, by all parties to the Interlocal Cooperation Agreement.

A Resolution of the Lexington-Fayette Urban County Council approving the economic development partnership with Madison County, Scott County, City of Berea, and City of Georgetown, authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Interlocal Cooperation Agreement, Membership Agreement, and other necessary and related documents, forming the Central Ky. Business Park Authority; and authorizing payment in the amount of \$2,125,000 to the Authority for the purpose of carrying out the duties and powers of the Authority as limited by the aforementioned Agreements and relevant State law; all contingent upon approval of the Authority's creation, and execution of all necessary Agreements, by all parties to the Interlocal Cooperation Agreement, as amended, received first reading.

Upon motion by Mr. J. Brown, seconded by Vice Mayor Wu, and approved by majority vote (Ms. Gray was absent), the rules were suspended and the Resolution received second reading.

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

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

Nay: -----0

Absent: Gray -----1

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Fayette County Public Schools Southside Technical, to establish a Student Emergency Medical Technician Program received first reading.

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

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

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

Nay: -----0

Absent: Gray -----1

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A Resolution authorizing the Div. of Water Quality, on behalf of the Urban County Government, to purchase a replacement Eutek Headcell Grit Concentrator, for the West Hickman Waste Water Treatment Plant, from Hydro International, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Hydro International related to the procurement, at a cost not to exceed \$189,840.24 received first reading.

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

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

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| Aye:    | Ellinger, Elliott Baxter, Fogle, LeGris, Lynch, Monarrez, Plomin, Reynolds, Sheehan, Worley, Wu, F. Brown, J. Brown | -----13 |
| Nay:    |                                                                                                                     | -----0  |
| Absent: | Gray                                                                                                                | -----1  |

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A Resolution authorizing the Mayor, or her designee, to execute any and all Agreements and other necessary documents related to the celebration of Lexington’s 250th Anniversary, the final form of which shall be subject to approval in form and content by the 250Lex Commission, the Office of the Mayor, the Div. of Procurement, and the Dept. of Law, with all the associated costs and expenses to be paid directly by the Blue Grass Community Foundation received first reading.

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

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

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| Aye:    | Ellinger, Elliott Baxter, Fogle, LeGris, Lynch, Monarrez, Plomin, Reynolds, Sheehan, Worley, Wu, F. Brown, J. Brown | -----13 |
| Nay:    |                                                                                                                     | -----0  |
| Absent: | Gray                                                                                                                | -----1  |

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a partial release of Agreement, releasing the property located at 900 Newtown Pike from a Stormwater Incentive Grant Maintenance Agreement received first reading.

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

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

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| Aye: | Ellinger, Elliott Baxter, Fogle, LeGris, Lynch, Monarrez, Plomin, Reynolds, Sheehan, Worley, Wu, F. Brown, J. Brown | -----13 |
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| Nay: |  | -----0 |
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| Absent: | Gray | -----1 |
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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the purchase of Service Agreement (awarded pursuant to RFP 46-2024) with TEconomy Partners, LLC, to perform a local economic and workforce development opportunities study, at a cost not to exceed 132,860 received first reading.

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

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

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| Aye: | Ellinger, Elliott Baxter, Fogle, LeGris, Lynch, Monarrez, Plomin, Reynolds, Sheehan, Worley, Wu, F. Brown, J. Brown | -----13 |
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| Nay: |  | -----0 |
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| Absent: | Gray | -----1 |
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A Resolution initiating Zoning Ordinance Text Amendments to Articles 1, 3, and 8 for Short-Term Rentals in the Rural Service Area received first reading.

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

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

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| Aye: | Ellinger, Elliott Baxter, Fogle, LeGris, Lynch, Monarrez, Plomin, Reynolds, Sheehan, Worley, Wu, F. Brown, J. Brown | -----13 |
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| Nay: |  | -----0 |
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| Absent: Gray |  | -----1 |
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A Resolution accepting the bid of Calhoun Construction Services, Inc, in the amount of \$14,959,000 for the New Senior and Therapeutic Center, for the Dept. of General Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Calhoun Construction Services, Inc, related to the bid received first reading.

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

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

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| Aye: | Ellinger, Elliott Baxter, Fogle, LeGris, Lynch, Monarrez, Plomin, Reynolds, Sheehan, Worley, Wu, F. Brown, J. Brown | -----13 |
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| Nay: |  | -----0 |
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| Absent: Gray |  | -----1 |
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A Resolution accepting the bid of Carbon Activated Corporation, in the amount of \$34,873.07 for the East Hickman Pump Station Activated Carbon Replacement, for the Div. of Water Quality received first reading.

Upon motion by Mr. F. Brown, seconded by Ms. Sheehan, and approved by majority vote (Ms. Gray was absent), the rules were suspended and the Resolution received second reading.

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

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| Aye: | Ellinger, Elliott Baxter, Fogle, LeGris, Lynch, Monarrez, Plomin, Reynolds, Sheehan, Worley, Wu, F. Brown, J. Brown | -----13 |
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| Nay: |  | -----0 |
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| Absent: | Gray | -----1 |
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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Employment Solutions, Inc., d/b/a Fresh Approach, the final form of which shall be subject to approval of the Dept. of Law, to provide food service for the government’s motel-based winter shelter for persons experiencing homelessness, at a cost not to exceed \$21,250 per week, contingent upon approval of any necessary Budget amendments, and further authorizing the Mayor to execute any necessary amendments related to these services received first reading.

Upon motion by Ms. Sheehan, seconded by Vice Mayor Wu, and approved by majority vote (Ms. Gray was absent and Ms. Fogle voted no), the rules were suspended and the Resolution received second reading.

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

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| Aye: | Ellinger, Elliott Baxter, Fogle, LeGris, Lynch, Monarrez, Plomin, Reynolds, Sheehan, Worley, Wu, F. Brown, J. Brown | -----13 |
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| Nay: |  | -----0 |
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| Absent: | Gray | -----1 |
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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with University of Ky. Healthcare, for paramedic students to get practical experience received first reading.

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

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

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

Nay: -----0

Absent: Gray -----1

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Purchase of Service Agreement (awarded pursuant to RFP No. 47-2024) with Roadway Asset Services, LLC for pavement condition survey and pavement management planning support services, for the Dept. of Environmental Quality and Public Works, at a cost not to exceed \$235,888 received first reading.

Upon motion by Mr. F. Brown, seconded by Ms. Sheehan, and approved by majority vote (Ms. Gray was absent), the rules were suspended and the Resolution received second reading.

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

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

Nay: -----0

Absent: Gray -----1

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Consultant Services Agreement (awarded pursuant to RFP No. 48-2024) with GRW for professional design services for the Div. of Water Quality headquarters and operations building renovations, at a cost not to exceed \$299,120 received first reading.

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

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

Aye: Ellinger, Elliott Baxter, Fogle, Gray, -----15  
LeGris, Lynch, Monarrez (via virtual  
teleconference), Plomin, Reynolds,  
Sheehan, Worley, Wu, F. Brown, J. Brown

Nay: -----0

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Forgivable Loan Agreement and related documents with Turner Property 4, LLC, pursuant to the Public Infrastructure Program, for sidewalk and public parking improvements, at a cost not to exceed \$366,680 received first reading.

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

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

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

Nay: -----0

Absent: Gray -----1

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Federated Global Ventures, LLC., the final form of which shall be subject to approval of the Dept. of Law, to provide security services for the government's motel-based winter shelter for persons experiencing homelessness, at a cost not to exceed \$220,320, and further authorizing the Mayor to execute any necessary amendments related to these funds received first reading.

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

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

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

Nay: -----0

Absent: Gray -----1

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Hospice of the Bluegrass, Inc. d/b/a Bluegrass Care Navigators, for the operation of motel-based winter shelter services for elderly/disabled persons experiencing homelessness, at a cost not to exceed \$201,023 received first reading.

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

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

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

Nay: -----0

Absent: Gray -----1

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements, the final form of which shall be subject to approval by the Dept. of Law, with Arbor Youth Services, Inc. (\$12,500); AVOL Ky, Inc. (\$25,000); Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas counties, Inc. (\$37,500); Greenhouse17, Inc. (\$12,500); Hope Center, Inc. (\$62,500);

Lexington Rescue Mission, Inc. (\$50,000); and New Beginnings, Bluegrass, Inc. (\$12,500), to provide supportive services for participants of the government’s motel-based winter shelter for persons experiencing homelessness, at a total estimated cost of \$212,500, and further authorizing the Mayor to execute any necessary amendments related to these services, subject to sufficient funds being appropriated received first reading.

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

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

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

Nay: -----0

Absent: Gray -----1

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The following Resolutions received first reading and were ordered to be placed on file for public inspection until November 14, 2024:

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Seagrave Fire Apparatus LLC., for purchase of two new rescue pumper apparatus at a cost not to exceed \$2,216,911.

A Resolution amending Resolution No. 629-2023, authorizing the acceptance of deeds for property interests needed for the Floyd Dr. Trunk Sewer Project, increasing the cost of acquisition of easements by the sum of \$6,000, from \$51,000 to \$57,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and other necessary documents, and to accept deeds for property interests located at 139 Elam Park, needed for the Wolf Run Main Trunk G Sewer Project, a Remedial Measures Project required by the Consent Decree, at a cost not to exceed \$10,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Stanard & Associates, Inc., for the Police Officer Selection Test for LFUCG Police Recruit candidates, at a cost not to exceed \$9,500.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, as the Collaborative Applicant, to execute and submit the 2024 Continuum of Care Grant Application to the United States Dept. of Housing and Urban Development (HUD), to provide any additional information requested in connection with this Grant Application, which seeks up to \$3,892,327 in Federal funds for the operation of Programs by community nonprofit organizations to reduce homelessness in Lexington-Fayette County, and to accept an amount, up to \$141,269, of the Grant funds, if the application is approved, for project planning expenses related to monitoring Programs funded by the Grant, the acceptance of which obligates the Urban County Government for the expenditure of an amount, up to \$35,318, as a local match, 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 a Professional Services Agreement with the law firm of Frost Brown Todd, LLC, for collective bargaining negotiations with the Divs. of Fire and Emergency Services and Police, at an estimated cost not to exceed \$120,000 in FY2025.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Plan Renewal Agreement with Anthem for the Medicare Advantage Plan for the Police and Fire Retirement Fund, for the period beginning January 1, 2025 through December 31, 2025.

A Resolution authorizing and approving the transfer of Council Capital Project funds to the Div. of Parks and Recreation in the amount of \$5,000 for “Sense of Place” Hamlet Initiative Project, \$50,000 for elevated signage for the Phoenix Park Reimagine Project, \$2,000 for planting four (4) memorial trees in the 9th District Parks, and \$50,000 for the Davis Park Basketball Courts Project.

A Resolution accepting the bid of Cleary Construction Inc., in the amount of \$12,004,030 for the New Circle Rd. Trunks A & B, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Cleary Construction Inc., related to the bid.

A Resolution accepting the bid of Herrick Co., Inc., in the amount of \$13,700,000 for the Town Branch & West Hickman WWTP UV Disinfection Process Replacement, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Herrick Co., Inc., related to the bid.

A Resolution amending Resolution No. 506-2024, authorizing and directing the Mayor to execute Memoranda of Agreement with the Stonewall Equestrian Estates Association, Inc. and various property owners within said association, for the Blenheim Sanitary Sewer Trunk Sewer Project, reducing the cost to the Urban County Government to an amount not to exceed the collective amount of \$32,250.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with cieTrade Systems, Inc., for three software licenses and database at a cost not to exceed \$18,750.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Dr. Patricia Howard, for the EMS Training Coordinator, at a cost not to exceed \$28,900.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Fayette County Public Schools, for use of 450 Park Place during a disaster event.

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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 (Ms. Gray was absent) and were as follows: (1) Recommending the reappointments of Shirie Hawkins and Tonya Jackson to the Airport Board of Directors both with terms expiring December 31, 2028; (2) Recommending the reappointment of Paige Smith to the Arboretum Advisory Board with a term expiring January 1, 2028; (3) Recommending the reappointment of Danielle Sanders, LFUCG Representative, to the Black and Williams Neighborhood Center Board with a term expiring January 1, 2029; (4) Recommending the reappointments of Justin Karr, At large, and Hilary Sykes, At Large, to the Domestic and Sexual Violence Prevention Coalition both with terms expiring January 1, 2029; (5) Recommending the appointment of Katie Toffey to the Lexington Children's Museum Board of Directors with a term expiring July 1, 2028; (6) Recommending the appointment of Martin Sean Ebbitt

to the Lexington Convention and Visitors Bureau Board of Directors with a term expiring September 1, 2026; (7) Recommending the reappointments of Elizabeth Adams and Shawntaye Hopkins to the Library Board of Advisors both with terms expiring January 1, 2029; (8) Recommending the seat change of Jesse Hensley, Professional in arboriculture representative, to the Tree board with a term expiring April 1, 2027; and, (9) Recommending the reappointment of Celeste Lewis, LFUCG Representative, to the Public Arts Commission with a term expiring December 31, 2028.

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Upon motion by Vice Mayor Wu, and seconded by Ms. Elliott Baxter, the Communications from the Mayor (Donations) were approved by majority vote (Ms. Gray was absent) and were as follows: (1) (a) Lexington Police Department - accepting a donation from Congo Brands Beverage Company: PRIME Hydration and Energy drink products for current personnel and participants of our wellness Program, Functional Fitness (valued at \$9,806.73).

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The following Communications from the Mayor were received for information only: (1) Probationary Classified Civil Service Appointment of Isaiah Smith, Skilled Trades Worker, Grade 515N, \$23.603 hourly in the Div. of Streets and Roads, effective October 21, 2024; (2) Probationary Classified Civil Service Appointment of Lawrence Moberly, Skilled Trades Worker, Grade 515N, \$22.235 hourly in the Div. of Streets and Roads, effective October 21, 2024; (3) Probationary Classified Civil Service Appointment of Frank Brown, Skilled Trades Worker, Grade 515N, \$22.332 hourly in the Div. of Streets and Roads, effective November 4, 2024; (4) Probationary Classified Civil Service Appointment of Kyle Kmiec, Treatment Plant Operator, Grade 518N, \$25.791 hourly in the Div. of Water Quality, effective October 28, 2024; (5) Probationary Classified Civil Service Appointment of Antonio Baldon, Director Waste Management, Grade 534E, \$5,270.08 biweekly in the Div. of Waste Management, effective November 4, 2024; (6) Probationary Classified Civil Service Appointment of Alana Insko-Kelley, Community Outreach Program Manager, Grade 522E, \$2,621.60 biweekly in the Div. of Environmental Services, effective October 21, 2024; (7) Probationary Classified Civil Service Appointment of LeeAnn Wright, Administrative Specialist, Grade 516N, \$23.924 hourly in the Div. of Community

Corrections, effective October 14, 2024; (8) Probationary Classified Civil Service Appointment of Cameron Poe, Operations and Recovery Manager, Grade 522E, \$2,576.96 biweekly in the Div. of Emergency Management, effective November 4, 2024; (9) Probationary Classified Civil Service Appointment of Carolina Jimenez, Early Childcare Assistant Teacher, Grade 510N, \$17.281 hourly in the Div. of Family Services, effective November 4, 2024; (10) Probationary Classified Civil Service Appointment of Stacy Hait, Social Services Worker, Grade 516E, \$1,956.24 biweekly in the Div. of Youth Services, effective November 11, 2024; (11) Probationary Classified Civil Service Appointment of Charles Lopresto, Electrician, Grade 519N, \$28.308 hourly in the Div. of Facilities and Fleet Management, effective October 21, 2024; (12) Probationary Classified Civil Service Appointment of Robert Morgan, Vehicle & Equipment Technician Sr., Grade 519N, \$31.514 hourly in the Div. of Facilities and Fleet Management, effective October 7, 2024; (13) Probationary Classified Civil Service Appointment of Nathan Deas, Custodial Worker, Grade 506N, \$16.024 hourly in the Div. of Facilities and Fleet Management, effective November 4, 2024; (14) Probationary Classified Civil Service Appointment of Ryan Khounlavong, Staff Assistant Sr., Grade 511N, \$19.000 hourly in the Div. of Parks and Recreation, effective November 4, 2024; (15) Probationary Classified Civil Service Appointment of Marrico Givens, Public Service Worker, Grade 508N, \$17.266 hourly in the Div. of Parks and Recreation, effective October 21, 2024; (16) Probationary Classified Civil Service Appointment of Adrian Romo, Public Service Worker, Grade 508N, \$16.191 hourly in the Div. of Parks and Recreation, effective November 4, 2024; (17) Probationary Classified Civil Service Appointment of Ashley Lewis, Public Service Worker, Grade 508N, \$16.160 hourly in the Div. of Parks and Recreation, effective November 4, 2024; (18) Probationary Classified Civil Service Appointment of Christopher Taylor, Deputy Director Planning, Grade 531E, \$4,159.44 biweekly in the Div. of Planning, effective October 21, 2024; (19) Sworn Appointment of Matthew Collins, Police Sergeant, Grade 315N, \$42.126 hourly in the Div. of Police, effective October 7, 2024; (20) Sworn Appointment of Keith McKinney, Police Sergeant, Grade 315N, \$42.126 hourly in the Div. of Police, effective November 4, 2024; (21) Unclassified Civil Service Appointment of Samuel Gordon, Public Works Apprentice, Grade 504N, \$16.352 hourly in the Div. of Streets and Roads, effective November 4, 2024; (22) Unclassified Civil Service

Appointment of Celeste Ward, Security Officer P/T, Grade 511N, \$18.345 hourly in the Div. of Public Safety, effective October 21, 2024; (23) Unclassified Civil Service Appointment of Michelle Cameron, Early Childcare Assistant Teacher P/T, Grade 510N, \$16.732 hourly in the Div. of Family Services, effective October 28, 2024; (24) Unclassified Civil Service Appointment of Lesia Wyatt, Custodial Worker, Grade 506N, \$16.385 hourly in the Div. of Family Services, effective November 4, 2024; and, (25) Council Leave of Starlena Ward, Technical Specialist, Grade 516N, \$32.757 hourly in the Div. of Computer Services, effective September 23, 2024 through December 22, 2024.

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Chief Lawrence Weathers, Div. of Police, presented a disciplinary matter regarding Officer Gary Thurman. An allegation has been made that Officer Thurman has committed the offense of Misconduct 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 in that on the 24th day(s) of July 2024, he/she allegedly:

- (1) On July 29th, 2024 Sergeant Gary Thurman was involved in a conversation with another Police Sergeant regarding motorcycle maintenance and training. The conversation quickly became heated and non-professional in nature. During the interaction Sergeant Thurman yelled, used profanity and broke a coffee mug. At the conclusion of the investigation, and after a review of the recommendation of the Disciplinary Review Board, Sergeant Thurman met with Chief Weathers and accepted a 30 hour (3 days) suspension, after determining Sergeant Thurman was in violation of Operational Rule 1.02 Misconduct. This is Sergeant Thurman's second sustained formal complaint since his employment began on July 9th, 2007.

The appropriate punishment for this conduct is Thirty Hours (3 days) Suspension.

Upon motion by Mr. Worley, seconded by Ms. Reynolds and approved by majority vote (Ms. Gray was absent), the disciplinary recommendation was approved.

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Ms. Lynch reminded her constituents of a Coldstream Planting Party event from 9:00 a.m. until 12:00 p.m. on October 26, 2024. Ms. Lynch also announced Trunk or Treat events that would be happening in her district.

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Vice Mayor Wu talked about recent events he had attended. He spoke about the Council sponsored Transportation Expo that had been held on the past Saturday. He shared the canvassing work that he had been doing with the New American Initiative, an event helping Kentucky immiGrants and refugees participate in civic life with initiatives like supporting pathways to citizenship, registering votes, and providing voter education. Lastly, he spoke about an event he had participated in, put on by the Rural Urban Exchange, called the Golden Thread, generating conversations about rural urban connectivity.

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Mr. Worley thanked the Mayor and Ms. Fogle for attending a ribbon cutting event in his district for Richwood Bend Apartments, 80 apartment units that fall into the category of Affordable Housing. He spoke about all the stakeholders who had worked together to build this apartment complex.

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Ms. Fogle suggested that residents of the 1<sup>st</sup> District tour the Richwood Bend Apartments as they were similar to the Affordable Housing plans that were proposed in the 1<sup>st</sup> District. She announced several Trunk or Treat events in the 1<sup>st</sup> District. She spoke about a fundraising event she had recently attended.

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Alyssa Rigney, District 11, spoke about the tragedies in Gaza and the resulting loss of life in the war between Hamas and Israel. She asked for Council to pass a Resolution supporting a Cease-Fire in the war.

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Logan Robertson, District 1, spoke in support of Palestine, and about American politics and grassroots efforts.

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Ala Hassan, District 12, spoke about the war in Gaza.

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Arsh Ansari, District 3, asked the Council to pass a Resolution calling for a Cease-Fire.

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Upon motion by Ms. Fogle, seconded by Ms. Plomin, and approved by unanimous vote, the meeting adjourned at 7:19 p.m.

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Deputy Clerk of the Urban County Council