

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky October 26, 2023

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on October 26, 2023 at 6:00 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the Council: Elliott Baxter, Fogle, Gray, LeGris, Lynch, Monarrez, Plomin, Reynolds, Sevigny, Sheehan, Wu, F. Brown, J. Brown, and Ellinger. Absent were Council Members Worley.

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

Ordinances No. 111-2023 through 120-2023, inclusive, and Resolutions No. 521-2023 through 563-2023, inclusive, were reported as having been signed and published and ordered to record.

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The Invocation was given by Pastor Ann Freeman of Church of God in Jesus Name.

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Mayor Gorton asked Sarah Erwin, Stonewall Elementary School Second Grade Teacher, to join her at the podium, along with Ms. Elliott Baxter, and read a Proclamation declaring October 26, 2023 as Sarah Erwin Day in Lexington.

Ms. Erwin expressed appreciation for the community support over her 50 year career in education and the recognition.

Ms. Elliott Baxter shared the inspiration Ms. Erwin had imparted on the community and her dedication and care for her students that spread far beyond the classroom setting.

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Mayor Gorton asked Denise Wells, Executive Dir. of the Nursing Home Ombudsman Agency of the Bluegrass, to join her at the podium, and read a Proclamation declaring October 2023 as National Long-term Care Residents' Rights Month in Lexington. Mayor Gorton acknowledged several guests from Lexington Premiere Nursing and Rehab in the audience.

Ms. Wells thanked Lexington for its commitment for supporting long-term care residents in the community, and thanked the Lexington Premiere Nursing and Rehab staff and residents in attendance for enabling long-term care residents' voices to be heard.

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Mayor Gorton asked McKayla McKinney, 2023 Junior Fire Chief, to join her at the podium, along with Fire Chief Jason Wells, and read a Proclamation declaring October 26, 2023 as Junior Fire Chief Kayla McKinney Day in Lexington.

Ms. McKinney thanked the Mayor and Council for the recognition.

Chief Wells thanked Ms. Kinney and her family for participating and displayed the poster included with her essay entry about cooking safety.

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

Nay: -----0

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, FY 2024 Schedule No. 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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The following ordinances received first reading and were ordered to be placed on file for public inspection until November 2, 2023:

An Ordinance changing the zone from a Wholesale and Warehouse Business (B-4) zone to a Planned Neighborhood Residential (R-3) zone, for 2.668 net (3.103 gross) acres, for property located at 2833 & 2853 Liberty Rd. (Liberty Park Development, LLC; Council District 6).

An Ordinance amending Article 8-19(D) and Articles 17-11(I)(2) and 17-18 of the Zoning Ordinance to allow additional electronic message display signage including video displays (dynamic content) in association with a Civic Center in the Lexington Center Business (B-2b) Zone. (Lexington Center Corporation).

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to reflect current requirements for funds in the amount of \$38,000 to

provide funds for Council Capital Projects in the Div. of Traffic Engineering, and appropriating and re-appropriating funds, Schedule No. 21.

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. 19.

An Ordinance adopting and enacting a republished Code of Ordinances for the Lexington Fayette Urban County Government; further adopting and enacting a republished Zoning Ordinance for the Lexington Fayette Urban County Government; providing for the repeal of certain Ordinances not included therein; providing a penalty for the violation thereof; providing for the manner of amending such codes; and providing when such Codes and this Ordinance shall become effective.

An Ordinance amending the authorized strength by extending one (1) unclassified position of Administrative Officer, Grade 523E, for a term of four (4) years beginning November 2, 2023 and ending November 2, 2027, in the Div. of Waste Management, effective upon passage of Council.

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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 was on the docket to receive second reading.

Upon motion by Vice Mayor Wu, and seconded by Ms. Plomin, and approved by unanimous vote, the resolution was amended to remove any reference to the use of funds awarded under the American Rescue Plan Act of 2021 (ARPA). The amendment was a material change that required a new first reading.

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), 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 received first reading.

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

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

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

Nay: -----0

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The following resolutions received second reading. Upon motion by Ms. Plomin, and seconded by Ms. Gray, the resolutions were approved by the following vote:

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

Nay: -----0

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 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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A Resolution accepting the bid of Jarboe Construction Inc., in the amount of \$2,163,000, for the Pam Miller Downtown Arts Center Renovation, for the Dept. of General Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Jarboe Construction Inc., related to the bid received first reading.

Upon motion by Ms. LeGris, seconded by Ms. Reynolds, and approved by unanimous vote, 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: Elliott Baxter, Fogle, Gray, LeGris, Lynch, -----14
Monarrez, Plomin, Reynolds, Sevigny,
Sheehan, Wu, F. Brown, J. Brown,
Ellinger

Nay: -----0

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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. Cabinet for Health and

Family Services (CHFS), Ky. Dept. of Medicaid Services, seeking an award of \$775,000 in Commonwealth of Ky. funds from the Ky. Community Crisis Co-Response Grant Program, which shall be used to create a co response team, 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 obligates the Urban County Government to the expenditure of \$75,000 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget for these Grants received first reading.

Upon motion by Ms. Elliott Baxter, seconded by Mr. Ellinger, and approved by unanimous vote, 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: Elliott Baxter, Fogle, Gray, LeGris, Lynch, -----14
Monarrez, Plomin, Reynolds, Sevigny,
Sheehan, Wu, F. Brown, J. Brown,
Ellinger

Nay: -----0

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement (RFP No. 42 2023) with Hospice of the Bluegrass, Inc., d/b/a Bluegrass Care Navigators, the final form of which is subject to approval by the Dept. of Law and the Office of Homelessness Prevention and Intervention, allocating \$205,340 in FY 2024 for Temporary Winter Motel Shelter Services, and further authorizing the Mayor to execute any necessary amendments related to these funds received first reading.

Upon motion by Ms. Sheehan, seconded by Vice Mayor Wu, and approved by unanimous vote, 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: Elliott Baxter, Fogle, Gray, LeGris, Lynch, -----14
Monarrez, Plomin, Reynolds, Sevigny,
Sheehan, Wu, F. Brown, J. Brown,
Ellinger

Nay: -----0

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a modification to an Agreement with the Ky. Dept. of Military Affairs, Div. of Emergency Management, extending the period of performance through March 31, 2024, under the Chemical Stockpile Emergency Preparedness Program (CSEPP) for FY 2021 received first reading.

Upon motion by Vice Mayor Wu, seconded by Ms. Sheehan, and approved by unanimous vote, 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: Elliott Baxter, Fogle, Gray, LeGris, Lynch, -----14
Monarrez, Plomin, Reynolds, Sevigny,
Sheehan, Wu, F. Brown, J. Brown,
Ellinger

Nay: -----0

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a modification to an Agreement with the Ky. Dept. of Military Affairs, Div. of Emergency Management, extending the period of performance through March 31, 2024, under the Chemical Stockpile Emergency Preparedness Program (CSEPP) for FY 2022 received first reading.

Upon motion by Vice Mayor Wu, seconded by Ms. Lynch, and approved by unanimous vote, 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: Elliott Baxter, Fogle, Gray, LeGris, Lynch, -----14
Monarrez, Plomin, Reynolds, Sevigny,
Sheehan, Wu, F. Brown, J. Brown,
Ellinger

Nay: -----0

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A Resolution amending Resolution No. 457-2023 to revise the amount of the Grant award from the Ky. Dept. of Military Affairs, Div. of Emergency Management from \$930,050 to \$930,950 received first reading.

Upon motion by Vice Mayor Wu, seconded by Ms. Sheehan, and approved by unanimous vote, 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: Elliott Baxter, Fogle, Gray, LeGris, Lynch, -----14
Monarrez, Plomin, Reynolds, Sevigny,
Sheehan, Wu, F. Brown, J. Brown,
Ellinger

Nay: -----0

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement related to Neighborhood Development Funds with Arts Connect, Inc. (\$500); Prestwick Condominiums Association, Inc. (\$500); Community Inspired Lexington Inc. (\$300); Mario Webb & New Covenant, Inc. (\$3,000); and United Way of the Bluegrass, Inc. (\$400), 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 Mr. Ellinger, and approved by unanimous vote, 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: Elliott Baxter, Fogle, Gray, LeGris, Lynch, -----14
Monarrez, Plomin, Reynolds, Sevigny,
Sheehan, Wu, F. Brown, J. Brown,
Ellinger

Nay: -----0

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The following resolutions received first reading and were ordered to be placed on file for public inspection until November 2, 2023:

A Resolution accepting the bids of Herrick Co., Inc. and K. Hayes Limited, establishing WWTP Pumping Station Diagnostic and Repair Services Unit Price Contracts for the Div. of Water Quality.

A Resolution ratifying the Permanent Classified Civil Service Appointments of: Aldo Gomez, Language Access Specialist, Grade 523E, \$2,657.84 biweekly in the office

of the Mayor, effective October 10, 2023, Gaston Ngandu Sankayi, Language Access Specialist, Grade 523E, \$3,089.92 biweekly in the office of the Mayor, effective October 24, 2023, Jaiden Brown, Customer Service Specialist, Grade 511N, \$17.576 hourly in the Div. of Lexcall, effective October 24, 2023, Jeffinisha Cobb, Customer Service Supervisor, Grade 520E, \$2,287.04 biweekly in the Div. of Lexcall, effective October 24, 2023, Haley Ogden, Revenue Compliance Auditor, Grade 521N, \$29.079 hourly in the Div. of Revenue, effective October 10, 2023, Eden Vanhook, Administrative Specialist, Grade 516N, \$23.961 hourly in the Div. of Waste Management, effective October 10, 2023, Daniel Partin, Human Resources Analyst, Grade 521E, \$2,331.76 biweekly in the Div. of Human Resources, effective October 24, 2023, Judith Cox, Assistant Records Custodian, Grade 514N, \$22.241 hourly in the Div. of Police, effective October 10, 2023, Jordan Stewart, Staff Assistant, Grade 509N, \$17.304 hourly in the Div. of Community and Resident Services, effective November 1, 2023, Nickolas Porter, Accountant, Grade 518N, \$25.300 hourly in the Div. of Grants and Special Programs, effective October 10, 2023.

A Resolution amending Resolution No. 426-2023 to allow for the Mayor's designee to sign the Multi Year Platform Agreement and any other necessary Agreement with Cayan LLC, for Merchant Processing Services at the City Employee Pharmacy; amending the costs to \$2,000, plus additional costs based upon the volume of credit card transactions; and ratifying the execution of any Agreement contemplated herein by the Mayor's designee which may have occurred prior to the passage of this Resolution.

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 stormwater improvements at 827 Lane Allen Rd. and 1900 Garden Springs Dr., a Remedial Measures Project required by the Consent Decree, at a cost not to exceed \$223,400.

A Resolution authorizing the Div. of Water Quality, on behalf of the Urban County Government, to purchase Supervisory Control and Data Acquisition (SCADA) Citect/Historian Support Services for the Town Branch and West Hickman Waste Water Treatment Plants and Pump Stations, from ATR Distributing Co, Inc., a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to

execute any necessary Agreement with ATR Distributing Co, Inc. related to the procurement, at a cost not to exceed \$56,587.20.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with the Lyric Theatre and Cultural Arts Center Inc., for the operation of the Lyric Theatre, at a cost not to exceed \$127,500.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet seeking an award of \$95,164 in Federal funds from the 2020 Project Safe Neighborhood Grant, which shall be used for the purchase of equipment and payment of overtime for targeted enforcement and surveillance in prioritized areas in FY 24, 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 for these Grants.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Quality Counts, LLC (awarded pursuant to RFP 39-2023), to evaluate approximately 1,100 centerline miles of city streets and county roads to ensure all horizontal curves are signed according to current regulations, at a cost not to exceed \$137,500.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement related to Neighborhood Development Funds with Bluegrass Families First, Inc. (\$900) and Artistic Hands Shaping a New Society (AHSANS) Corporation (\$1,350), for the Office of the Urban County Council, at a cost not to exceed the sum stated.

A Resolution repealing, reorganizing, revising, and readopting Appendix A Rules and Procedures of the Lexington Fayette Urban County Council, to the Code of Ordinances of the Lexington Fayette Urban County Government, setting forth the following: the organization of Council, including the duties, responsibilities, appointment, removal and other aspects of the positions of Vice Mayor, members of Council, Council Administrator, Council Core Staff, and Council Legislative Aides; procedures for

legislative workflow including the preparation and introduction of legislation; Council meeting rules and procedures; rules of debate and other parliamentary procedures; voting requirements for Council Members; Council Committee structure, Council Committee Chairs, and the rules and procedures relating thereto; and policies and procedures for the Council Office, including the utilization of government resources; and adopting supplements to Appendix A relating to the role of the Citizens' Advocate, Council guidelines for use of LFUCG Depts., Neighborhood Development Funds and Council Capital projects, and Council best practices.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute the Flexible Spending Benefits Plan with Chard, Snyder & Associates, Inc., for the purpose of allowing LFUCG employees to elect various benefit options on a pre-tax basis within the meaning of Section 125 of the Internal Revenue Code, effective January 1, 2024.

A Resolution reallocating a total of \$203,227.94 in Federal funds (American Rescue Plan Act of 2021) (Resolution No. 370-2022), previously awarded to workforce development partners that failed to fully expend their funds, toward other workforce needs and opportunities, which shall include updates to the Charles Young Center (\$25,161.11) and Davis Park (\$53,066.83), and further authorizing the Mayor to execute Agreements with: (1) Child Care Council of Ky., Inc. (\$50,000.00), (2) Jubilee Jobs of Lexington, Inc. (\$18,750.00), (3) Lexington Rescue Mission, Inc. (\$18,750.00), (4) Opportunity Workshop of Lexington, Inc. (\$18,750.00), and (5) Home Builders Association of Lexington, Inc. (\$18,750.00), to fund additional workforce needs and opportunities, and authorizing the Mayor or her designee to execute any documents related to the use of these funds.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Ky. House Bill (HB) 1 County Clerks Election Equipment Grant Application for up to \$378,484.54 in HB 1 Project Funds with the Dept. for Local Government (DLG) for election equipment for the County Clerk, 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.

A Resolution authorizing the Div. of Central Purchasing to purchase Program development and implementation consulting services from BBC Research & Consulting, Inc., a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with BBC Research & Consulting, Inc., related to the procurement.

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Upon motion by Ms. Plomin, and seconded by Ms. Reynolds, the Communications from the Mayor (Appointments) were approved by unanimous vote and were as follows: (1) Recommending the reappointment of Emily Evans, At large, to the Animal Care and Control Advisory Committee, with term expiring January 1, 2028; (2) Recommending the appointment of Rachel Savane, Owner/Designee Retail Representative, replaces Liza Betz, to the Downtown Lexington Management District Board of Directors, with term effective December 1, 2023 - December 1, 2027; (3) Recommending the reappointment of Gary Barksdale and Ateba Whitaker, to the Human Rights Commission, with terms expiring January 1, 2028; (4) Recommending the reappointment of Cheryl Klever, to the Neighborhood Action Match Grant Program Review Board, with term expiring December 31, 2027; and, (5) Recommending the reappointment of Gabriel Knowles, 10th District Representative, to the Parks and Recreation Advisory Board, with term expiring January 14, 2028.

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At 6:53 p.m., Mr. Ellinger departed the meeting.

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Upon motion by Vice Mayor Wu, and seconded by Ms. Fogle, the Communications from the Mayor (Price Contracts) were approved by majority vote (Mr. Ellinger was absent) and were as follows: (1) Accepting and approving the following bids and establishing price contracts for the following Depts. or Divs. as to the specifications and amount set forth in the terms of the respective bids: (a) Div. of Water Quality - Temporary Labor for Water Quality – 106-2023 - Employment Solutions, Inc.; and, (b) Div. of Police - Panorama Sharkee Antenna – 104-2023 Computers on the Move.

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

(1) Probationary Classified Civil Service Appointment of Matthew Lee, Accountant, Grade 518N, \$28.000 hourly in the Div. of Accounting, effective November 6, 2023; (2) Probationary Classified Civil Service Appointment of Neesha Sherrill, Administrative Specialist, Grade 516N, \$26.000 hourly in the Div. of Accounting, effective November 6, 2023; (3) Probationary Classified Civil Service Appointment of Nick Oswalt, Computer Analyst, Grade 521E, \$2,481.76 biweekly in the Div. of Computer Services, effective November 6, 2023; (4) Probationary Classified Civil Service Appointment of Toby Mundy, Support Specialist, Grade 512N, \$20.500 hourly in the Div. of Computer Services, effective November 6, 2023; (5) Probationary Classified Civil Service Appointment of Daniel Layne, Revenue Compliance Analyst, Grade 518N, \$25.232 hourly in the Div. of Revenue, effective October 23, 2023; (6) Probationary Classified Civil Service Appointment of Jimmy Coots, Skilled Trades Worker, Grade 515N, \$21.181 hourly in the Div. of Streets and Roads, effective October 23, 2023; (7) Probationary Classified Civil Service Appointment of Glenda George, Director Human Resources, Grade 536E, \$5,200.00 biweekly in the Div. of Human Resources, effective November 6, 2023; (8) Probationary Classified Civil Service Appointment of Stephen Bishop, Radio/Electronics Specialist, Grade 517N, \$26.617 hourly in the Div. of Enhanced 911, effective November 6, 2023; (9) Probationary Classified Civil Service Appointment of Charles McKesson, Public Information Officer, Grade 523E, \$2,600.64 biweekly in the Div. of Community Corrections, effective November 6, 2023; (10) Probationary Classified Civil Service Appointment of Michelle Gallo, Computer Systems Manager Sr., Grade 526E, \$3,967.36 biweekly in the Div. of Police, effective October 23, 2023; (11) Probationary Classified Civil Service Appointment of Bob Carpenter, Director Building Inspections, Grade 532E, \$4,207.12 biweekly in the Div. of Building Inspection, effective October 23, 2023; (12) Probationary Classified Civil Service Appointment of Mary Potts, Case Management Coordinator, Grade 521E, \$2,423.12 biweekly in the Div. of Community and Resident Services, effective October 23, 2023; (13) Probationary Classified Civil Service Appointment of Nicholas Shepherd, Trades Worker, Grade 510N, \$17.000 hourly in the Div. of Parks and Recreation, effective November 20, 2023; (14) Probationary Classified Civil Service Appointment of Jose Diaz Pena, Trades Worker, Grade 510N, \$20.000

hourly in the Div. of Parks and Recreation, effective November 20, 2023; (15) Probationary Sworn Appointment of Sara Smith, Community Corrections Sergeant, Grade 112N, \$31.908 hourly in the Div. of Community Corrections, effective September 25, 2023; (16) Probationary Sworn Appointment of Heather Anderson, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (17) Probationary Sworn Appointment of Hayden Baute, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (18) Probationary Sworn Appointment of Zachary Bowman, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (19) Probationary Sworn Appointment of Kyler Carl, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (20) Probationary Sworn Appointment of Nicholas Christopher, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (21) Probationary Sworn Appointment of Shane Crasta, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (22) Probationary Sworn Appointment of Elizabeth Delipoglou, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (23) Probationary Sworn Appointment of Kunzheng Deng, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (24) Probationary Sworn Appointment of Skylar Duncan, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (25) Probationary Sworn Appointment of Austin Foley, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (26) Probationary Sworn Appointment of Amelia Hardy, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (27) Probationary Sworn Appointment of Logan Heinchon, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (28) Probationary Sworn Appointment of Abigail Herald, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (29) Probationary Sworn Appointment of Isiah Jones, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (30) Probationary Sworn Appointment of William Jordan, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (31) Probationary Sworn Appointment of Jaylen Kelley, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October

23, 2023; (32) Probationary Sworn Appointment of Bryce Maxie, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (33) Probationary Sworn Appointment of Benjamin McAllister, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (34) Probationary Sworn Appointment of Jake McAree, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (35) Probationary Sworn Appointment of Krizell Mitchell, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (36) Probationary Sworn Appointment of Sean Morris, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (37) Probationary Sworn Appointment of Thomas Mosley, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (38) Probationary Sworn Appointment of Austin Mullen, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (39) Probationary Sworn Appointment of Devin Nye, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (40) Probationary Sworn Appointment of Cameron Retallick, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (41) Probationary Sworn Appointment of Remmington Scarpulla, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (42) Probationary Sworn Appointment of Carter Seward, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (43) Probationary Sworn Appointment of Dylan Sharp, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (44) Probationary Sworn Appointment of Christopher Sniffin, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (45) Probationary Sworn Appointment of Skyler Sutton, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (46) Probationary Sworn Appointment of Monyreth Thachan, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (47) Probationary Sworn Appointment of Trevon Townsend, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (48) Probationary Sworn Appointment of Raymond Ucci, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (49) Probationary Sworn Appointment of Hailee Varwig, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October

23, 2023; (50) Probationary Sworn Appointment of Kaden Young, Police Officer, Grade 311N, \$27.662 hourly in the Div. of Police, effective October 23, 2023; (51) Unclassified Civil Service Appointment of William Drexel Wells, Associate Traffic Engineer, Grade 522E, \$2,312.96 biweekly in the Div. of Traffic Engineering, October 9, 2023; and, (52) Unclassified Civil Service Appointment to the Office of the Urban County Council of Shauntae Hall, Council Administrator, Grade Z80, \$3,900.88 biweekly in the Office of the Urban County Council, effective October 30, 2023.

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Chief Wells, Div. of Fire and Emergency Services, presented a disciplinary action regarding FF Andrew Banks. An allegation has been made that Firefighter Banks has committed the offense of at-fault collision (first offense) in violation of KRS 95.450 (inefficiency, misconduct, insubordination or violation of law or rule) and UDG 1.07 in that on the 6th day(s) of July 2023, he/she allegedly failed to completely clear an intersection and was involved in an at-fault collision while on an emergency call.

The appropriate punishment for this conduct is written reprimand.

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

Mr. J. Brown asked how long Firefighter Banks had been employed and inquired about any corrective training. Chief Wells responded.

Vice Mayor Wu made a query as to what contributing factors would be considered in such a scenario when deciding appropriate disciplinary actions, as well as the discipline standard for at-fault collisions. Chief Wells responded.

* * *

Chief Wells, Div. of Fire and Emergency Services, presented a disciplinary action regarding FF Quinn Wright. An allegation has been made that Firefighter Wright has committed the offense of At-fault collision (first offense) in violation of KRS 95.450 (inefficiency, misconduct, insubordination or violation of law or rule) and UDG 1.07 in that on the 18th day(s) of July 2023 he/she allegedly Failed to come to come to a complete stop and completely clear an intersection resulting in a collision.

The appropriate punishment for this conduct is Written reprimand.

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

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Chief Jason Wells, Div. of Fire and Emergency Services, presented a disciplinary action regarding Lt. Terrance Gatewood. An allegation has been made that Lt. Gatewood has committed the offense of Absent without leave (second offense) in violation of KRS 95.450 (inefficiency, misconduct, insubordination or violation of law or rule) and UDG 1.11 in that on the 17th and 23rd day(s) of June 2023, he/she allegedly Failed to report on time for a scheduled tour of duty. On 6/17 Lt. Gatewood was contacted by on-duty personnel and reported at 0836. On 6/23 Lt. Gatewood contacted the shift commander at 0755 and reported 0800.

The appropriate punishment for this conduct is 120 hour unpaid suspension and mandatory EAP.

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

Mr. J. Brown asked if this incident was similar to other AWOL disciplines issued in prior months. Chief Wells responded.

Ms. Gray inquired if it two was an unusual number of AWOL offenses, before asking about other corrective actions taken, in addition to the mandatory EAP. Chief Wells responded.

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Mr. J. Brown congratulated Shauntae Hall on her new position as Council Administrator and spoke of her experience in public service. He reminded the Council of the upcoming Budget COW to be held at 12:00 p.m. on October 31.

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Ms. Lynch thanked residents who attended the Council District 2 meeting on October 25, 2023, extending her appreciation for the following participants: Michelle Kosieniak, Div. of Parks and Recreation; Chris Taylor, Div. of Planning; Fayette County Public Schools Board Chair Tyler Murphy; Lexington Police Dept. Neighborhood Resource Officers Aaron Sharrard and Ryan Holland, Clay Goodman, Anderson Communities; Coventry Oak Elementary School Principal Michelle Grant; Aide to the Vice

Mayor Tori Cruz-Falk; and Council District 2 Legislative Aide LeShawn Barber. She also thanked the Bluegrass Disc Golf Association and University of Kentucky Disc Golf Association for speaking at the meeting about the disc golf course soon to be opening in the Second District.

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Ms. Gray congratulated the Eastland Parkway Neighborhood Association for the success of its first Autumn Festival on October 24, 2023 and shared some photos from the event. She shared an experience of a young mother struggling with finding housing, and spoke about income discrimination.

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Ms. Fogle shared photos from the Lexington Traditional Magnet School (LTMS) Visual and Performing Arts (VAPA) Festival held on October 24, 2023, and read a letter from Principal Bryne Jacobs about a federal grant they recently received. She noted she and others were wearing purple in honor of Domestic Violence Awareness Month.

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At 7:15 p.m., Ms. Fogle departed the meeting.

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Vice Mayor Wu shared photos from “The Color of Law & Just Action: An Evening with Richard and Leah Rothstein” held on October 24, at the UK Gatton Student Center and discussed the event. He spoke about presenting a proclamation to the family of the late Laura Dalzell for her dedication to Habitat for Humanity, and the Habitat for Humanity Women’s Build. Vice Mayor Wu shared photos, and shared his experience as a judge in the Masterson Station Neighborhood Association’s Children’s Halloween Costume Contest.

* * *

Ms. Reynolds asked Vice Mayor Wu if the Council Members would be permitted to attend their October 31 meetings in costume. Vice Mayor Wu supported the proposal. She provided an update about the sewage odor around the Leestown Rd. area and stated that Dir. of Water Quality Charlie Martin was working on a resolution. Ms. Reynolds invited everyone to attend several upcoming Fall and Halloween activities and events: the Jack-o’-Lantern Trail at McConnell Springs on October 24 to October 28 from 6:30 p.m. to

10:00 p.m. with a \$6 entry fee; Fall and Halloween Event at Pine Meadows on October 28 from 3:00 p.m. to 7:00 p.m.; Speigle Heights Fall Festival on October 28 from 6:00 p.m. to 8:00 p.m.; Golfview Estates Neighborhood Association Halloween Block Party on October 29 from 4:00 p.m. to 6:00 p.m., and the Gardenside Fall Fling at Gardenside Christian Church from 4:00 pm. to 6:00 p.m.

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Mr. F. Brown spoke of the recent passing of broadcast journalist Sue Wylie, the first female news anchor at WLEX Channel 18, and in the state of Kentucky.

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Mr. Sevigny announced that Lafayette High School Boys Varsity Soccer Team would be playing in the KHSAA Championship Final Boys' Soccer State Tournament, on Saturday, October 28, at Lafayette High School, at 4:00 p.m.

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Ms. LeGris reminded all of the City's Halloween events on Sunday, October 29: the Halloween Variety Show from 5:00 p.m. to 6:00 p.m. at the Courthouse Plaza; the Halloween Parade from 6:30 p.m. to 7:00 p.m. and the Thriller Parade from 7:00 p.m. to 9:00 p.m., with both parades starting at Main St. at Quality St.

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Monty Price, Council District 11, shared some of his family history.

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John Winstead, Council District 10, spoke about housing affordability.

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Upon motion by Ms. Elliott Baxter, seconded by Vice Mayor Wu, and approved by majority vote (Mr. Ellinger and Ms. Fogle wer absent), the meeting adjourned at 7:26 p.m.

Deputy Clerk of the Urban County Council