

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky May 2, 2019

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on May 2, 2019 at 6:01 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the Council: F. Brown, J. Brown, Ellinger, Evans, Farmer, Gibbs, Kay, Lamb, McCurn, Moloney, and Reynolds. Absent were Council Members Mossotti, Plomin, Worley, and Bledsoe.

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

Ordinances No. 25-2018 through 27-2018, inclusive, and Resolutions No. 193-2018 through 215-2018, inclusive, were reported as having been signed and published and ordered to record.

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The Invocation was given by Pastor Jacques Wigginton of Pleasant Valley Baptist Church.

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Mayor Gorton asked the members of the Holloway family, along with Mr. Farmer, to join her at the podium, and read a Proclamation declaring the month of May as Williams Syndrome Month in Lexington. Mayor Gorton introduced Doug Holloway, Div. of Water Quality, his wife, Krista, and daughter, Lauryn, who has the disorder. The Mayor spoke of the rarity and challenges of Williams Syndrome. Ms. Holloway spoke about her daughter, Lauryn, one of only two people in Lexington with the disorder, and the unique obstacles they face, as well as the support they have received from the Williams Syndrome Association. Lauryn thanked the Council and the Mayor for the recognition. Mr. Holloway thanked the Council and the Mayor for the recognition and expressed his gratitude and pride in working for the city of Lexington.

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Mr. Worley arrived at the meeting.

Ms. Bledsoe arrived at the meeting.

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Mayor Gorton invited Michele Lee, Community Action Council Board Chair, and Melissa Tibbs, Community Action Council Director of Planning, Communications, and

Advancement, to the podium. Mayor Gorton read a proclamation declaring May 2019 Community Action Month in Lexington.

Ms. Lee thanked the Urban County Government for their partnership in the work and services they provide to the community. Ms. Lee expressed gratitude to the Council and the Mayor, on the behalf of the Community Action Council, for the recognition.

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

Aye: F. Brown, J. Brown, Ellinger, Evans, Farmer, -----13
Gibbs, Kay, Lamb, McCurn, Moloney,
Reynolds, Worley, Bledsoe

Nay: -----0

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$1,250 for the Div. of Aging and Disability Services, from Neighborhood Development Funds, for the Senior Intern Program, Schedule No. 25.

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, Schedule No. 24.

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The following Ordinances received first reading and were ordered placed on file for public inspection until May 16, 2019:

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, Schedule No. 26.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$800 for the Div. of Police from Neighborhood Development Funds to assist with the D.A.R.E. program, Schedule No. 27.

An Ordinance amending the Classified Civil Service authorized strength by reallocating one (1) classified position of Recreation Assistant from Grade 510N to Grade 514N and reclassifying the incumbent within the Div. of Aging and Disability Services, and abolishing one (1) classified position of Community Program Coordinator, Grade 514N and creating one (1) classified position of Recreation Assistant, Grade 514N and reclassifying the incumbent within the Div. of Aging and Disability Services, effective the first payroll Monday following passage of Council.

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Vice Mayor Kay departed the meeting.

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The following Resolutions received second reading. Upon motion by Mr. Ellinger, and seconded by Mr. Farmer, Jr., the Resolutions were approved by the following vote:

Aye: F. Brown, J. Brown, Ellinger, Evans, Farmer, -----12
Gibbs, Lamb, McCurn, Moloney, Reynolds,
Worley, Bledsoe

Nay: -----0

Absent: Kay

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with International Public Safety Data Institute, for data analytical software and services, at no cost for FY 2019.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept the additional Federal funds in the amount of \$14,500 from the Ky. Dept. of Military Affairs, Div. of Emergency Management, under the FY 2018 Chemical Stockpile Emergency Preparedness Program (CSEPP), for the purchase of supplies for the support of continued Emergency Preparedness activities in Fayette County, the acceptance of which does not obligate the Urban County Government for the expenditure of funds.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with TALX Corporation (Equifax Verification Services) to provide pre-employment verification information for potential employees of LFUCG, at a cost not to exceed \$9,100.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Resolution for the adoption of the Lexington-Fayette Urban County Chemical Stockpile Emergency Preparedness Program Incident Specific Plan, for compliance with the requirements of KRS 39B.030, and Title VI of the Civil Rights Act of 1964.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to Ashwood Townhouses of Laredo Association, Inc., for stormwater quality projects, at a cost not to exceed \$22,458.06.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Amended Summary Plan Description (SPD) with Chard, Snyder & Associates, Inc., for the LFUCG Flexible Spending Benefits Plan, for the purpose of allowing LFUCG employees to elect various benefit options on a pretax basis, pursuant to Section 125 of the Internal Revenue Code, effective upon passage of Council.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Extension Agreement with LexArts, Inc., extending the lease for 161 North Mill St., on a month-to-month basis for an additional three (3) months beginning March 16, 2019 and ending on June 30, 2019.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 4 to the Agreement with Banks Engineering, Inc., for the Southland Area Stormwater Improvement Project, increasing the Contract price by the sum of \$154,000, from \$488,415 to \$642,415.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easements, releasing portions of utility and storm sewer easements on the property located at 156 Venture Ct.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easements, releasing portions of utility and storm sewer easements on the property located at 140 Venture Ct.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Madison County Emergency Medical Service (EMS), Granting access and use of the 800 MHz Public Safety Radio Communication System, at no cost to the Urban County Government.

A Resolution changing the property address number of 666 Elm Tree Ln. to 670 Elm Tree Ln., 1218 Embry Ave. to 1214 Embry Ave., 163-167 N. Limestone to 163 N. Limestone, 169-171 N. Limestone to 169 N. Limestone, 177-177 1/2 N. Limestone to 177 N. Limestone, 367-369 E. Main St. to 369 E. Main St., 412 Severn Way to 413 Severn Way, 2250 Spurr Rd. to 2208 Spurr Rd. and changing the street names and property address numbers of 532 Sundrop Path to 3824 Horsemint Trail, all effective thirty (30) days from passage.

A Resolution accepting the bids of Charm-Tex, Inc., Victory Supply, Inc., and ICS Jail Supplies, Inc., establishing price contracts for Mattresses, for the Div. of Community Corrections.

A Resolution accepting the bids of Bluegrass Recreational Sales and Installation, LLC; County Line Companies d/b/a PlayPros; Play and Park Structures; and David Williams and Associates, Inc., establishing price contracts for Outdoor Playground Equipment, for the Div. of Parks and Recreation.

A Resolution accepting the bid of L & W Emergency Equipment, establishing a price contract for Mobile Docking Stations, for the Div. of Police.

A Resolution accepting the bids of Central Equipment Co.; Century Equipment, Inc.; and Diesel Power Systems, Inc., establishing price contracts for tractor and mower parts, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Innovative Demolition Service, LLC, in the amount of \$23,475, for Demolition of the Existing Lime Silo at the Town Branch Waste Water Treatment Plant, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the

Urban County Government, to execute an Agreement with Innovative Demolition Service, LLC, related to the bid.

A Resolution accepting the bids of Asset Lighting and Electric, Inc., and the Public Safety Store, LLC, establishing price contracts for Smoke Alarms, for the Div. of Fire and Emergency Services.

A Resolution ratifying the Probationary Classified Civil Service Appointments of: Kelli Brewer, Staff Assistant Sr., Grade 510N, \$17.317 hourly in the Div. of Police, effective April 29, 2019 and Michelle Deas, Staff Assistant Sr., Grade 510N, \$16.410 hourly in the Div. of Police, effective April 29, 2019; ratifying the Permanent Civil Service Appointments of: Faye Clark, Accountant Sr., Grade 520E, \$2,083.52 biweekly in the Div. of Accounting, effective April 15, 2019, Larry Grubbs, Equipment Operator Sr., Grade 512N, \$17.387 hourly in the Div. of Streets and Roads, effective April 1, 2019, Joshua Ives, Administrative Officer Sr., Grade 526E, \$2,961.54 biweekly in the Dept. of General Services, effective April 15, 2019, William Burgess, Mailroom Clerk, Grade 508N, \$14.000 hourly in the Dept. of General Services, effective April 15, 2019, Lisa Grober, Administrative Officer, Grade 523E, \$2,469.24 biweekly in the Dept. of General Services, effective April 15, 2019 and Christopher Toutant, Public Service Manager, Grade 521E, \$2,500.00 biweekly in the Div. of Parks and Recreation, effective April 1, 2019; and ratifying the Unclassified Civil Service appointment of: Robert Peterson, Construction Manager, Grade 531E, \$4,084.56 biweekly in the Div. of Water Quality, effective April 29, 2019.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Ky. Sheep & Wool Producers

Association regarding the coordination and production of the Ky. Sheep & Fiber Festival, at no cost to the government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, pursuant to the Jobs Fund Program, to execute an Incentive Agreement and related documents with Space Tango, Inc., in an amount not to exceed \$100,000, for the creation and retention of at least seven (7) new jobs with an average hourly wage of at least \$34.07, exclusive of benefits.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Windstream Communications, designating Windstream Communications as a sole source vendor for existing fiber connectivity and establishing one (1) new fiber connection between the 911 dispatch center and the 800 MHz Radio System tower site, at a cost not to exceed \$168,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government to execute a Right-of-Way Agreement with Columbia Gas of Ky., Inc. to permit a permanent easement for the relocation of natural gas regulation equipment for the property located in Woodland Park.

A Resolution authorizing the Div. of Fire and Emergency Services, on behalf of the Urban County Government, to execute an Agreement to purchase an Aeroflex Radio Test Set from Testforce, a sole source provider, at a cost not to exceed \$27,087.25.

A Resolution accepting the Collective Bargaining Agreement by and between the Lexington-Fayette Urban County Government and Lexington Professional Firefighters, IAFF Local 526 on behalf of Fire Majors in the Div. of Fire and Emergency Services.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant to Opera House Square Townhouses Corp., for stormwater quality projects, at a cost not to exceed \$100,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a quote with Axon Enterprise, Inc., for ten new docking stations and Taser Assurance Plan, at a cost not to exceed \$16,630.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Div. of Waste Management, to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$4,000 Commonwealth of Ky. funds, and are for waste tire disposal and recycling for FY 2020, 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 an Agreement with the Georgetown-Scott County Emergency Medical Service (GSCEMS), granting access and use of the 800 MHz Public Safety Radio Communication System, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute and submit one or more Grant Applications and to provide any additional information requested in connection with those Grant Applications, for Grant funds in an amount not to exceed \$500,000, for support of the Empower Lexington program.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the William R. Kenan, Jr. Charitable Trust, and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$300,000, and are for the development and implementation of a substance use disorder prevention and education smartphone app targeting youth.

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Upon motion by Ms. Lamb, seconded by Mr. Farmer, and approved by majority vote (Vice Mayor Kay was absent for the vote), a Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Catering Contract with Bateman Community Living, LLC, for catering services for the Family Care Center, at a cost not to exceed \$20,000, was added to the docket and received first reading.

Upon motion by Ms. Lamb, seconded by Ms. Reynolds, and approved by majority vote (Mr. F. Brown voted no and Vice Mayor Kay was absent for the vote), the rules were suspended and the Resolution received second reading.

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

Aye: F. Brown, J. Brown, Ellinger, Evans, Farmer, -----12
Gibbs, Lamb, McCurn, Moloney, Reynolds,
Worley, Bledsoe

Nay: -----0

Absent: Kay

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A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Classified Civil Service Appointments: Mark Sanders,

Municipal Engineer Sr., Grade 525E, \$3,057.70 biweekly in the Div. of Water Quality, effective May 13, 2019 and Ciera Coronado, Administrative Specialist, Grade 513N, \$17.305 hourly in the Div. of Community Corrections, effective May 13, 2019 and authorizing the Div. of Human Resources to make a conditional offer to the following probationary Community Corrections Officer appointments: Tyler Pace, Daniel Tribuzio, Jeff Smith, Cyrille Bisong, Nickolas Hart, Anthony Falconberry, Tim Smith, Margie Tribble, Stephanie Williamson, Erika Hinman, William Hinman, Brooklynn Mosley, Jermaine Jones and Jessica Smith, all Community Corrections Officer Recruit, Grade 110N, \$15.384 hourly in the Div. of Community Corrections, effective upon passage of Council, received first reading.

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

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

Aye: F. Brown, J. Brown, Ellinger, Evans, Farmer, -----12
Gibbs, Lamb, McCurn, Moloney, Reynolds,
Worley, Bledsoe

Nay: -----0

Absent: Kay

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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. Transportation Cabinet (KYTC) - Office of Local Programs and the Lexington Area Metropolitan Planning Organization (MPO) and to provide any additional information requested in connection with

this Grant Application, which Grant funds are in the amount of \$2,800,000 Federal funds under the Transportation Alternatives Program (TAP), and are for the Euclid Ave. Multi Modal Improvements Project, received first reading.

Upon motion by Mr. Gibbs, seconded by Mr. Farmer, and approved by majority vote (Vice Mayor Kay was absent for the vote), the rules were suspended and the Resolution received second reading.

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

Aye: F. Brown, J. Brown, Ellinger, Evans, Farmer, -----12
Gibbs, Lamb, McCurn, Moloney, Reynolds,
Worley, Bledsoe

Nay: -----0

Absent: Kay

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with The Plantory (\$425), East End Community Development Corp. (\$800), LexArts, Inc. (\$500), and Stonewall Elementary PTA (\$500), for the Office of the Urban County Council, at a cost not to exceed the sums stated, received first reading.

Upon motion by Mr. Worley, seconded by Mr. McCurn, and approved by majority vote (Vice Mayor Kay was absent for the vote), the rules were suspended and the Resolution received second reading.

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

Aye: F. Brown, J. Brown, Ellinger, Evans, Farmer, -----12
Gibbs, Lamb, McCurn, Moloney, Reynolds,
Worley, Bledsoe

Nay: -----0

Absent: Kay

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The following Resolutions received first reading and were ordered placed on file for public inspection until May 16, 2019:

A Resolution accepting the bid of Aramsco, Inc., establishing a price contract for Hospital PPE Kits, for the Div. of Emergency Management/911.

A Resolution accepting the bid of Lexington Quarry Co., establishing a price contract for Rock, for the Div. of Streets and Roads.

A Resolution accepting the bid of Old Glory Resources, Inc., establishing a price contract for Wood Fiber Safety Surface, for the Div. of Parks and Recreation.

A Resolution ratifying the Probationary Civil Service Appointments of: Renu Agarwal, Payroll Analyst, Grade 520N, \$26.023 hourly in the Div. of Accounting, effective May 20, 2019, Heath Jackson, Public Service Worker Sr., Grade 509N, \$15.597 hourly in the Div. of Parks and Recreation, effective May 20, 2019, and Heidi Lawson, Public Service Worker Sr., Grade 509N, \$16.838 hourly in the Div. of Parks and Recreation, effective May 20, 2019; and ratifying the Probationary Sworn Appointment of: Kevin Deweese, Fire Lieutenant, Grade 315N, \$20.593 hourly in the Div. of Fire and Emergency Services, effective April 18, 2019.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Service Agreements with Granicus, Inc., for legislative management software and hardware, at a cost not to exceed \$53,148 in Fiscal Year 2020.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Contract with Resource Recycling Systems, for the Material Recovery Facility, at a cost not to exceed \$24,855.

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 of easement and permanent right of way from owners of record for property interests needed for the Bahama Rd. Stormwater Improvement Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with Lagco, Inc., for the Arrowhead Dr. Stormwater Improvements Project, increasing the Contract price by the sum of \$4,652, from \$203,462 to \$208,114.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 (Final) to the Agreement with Herrick Co., Inc., for the Horse Park Pump Station Generator Replacement Project, decreasing the Contract price by the sum of \$475, from \$146,000 to \$145,525, and extending the date of completion by 87 days, to April 30, 2019.

A Resolution authorizing the Div. of Waste Management, on behalf of the Urban County Government, to purchase software, hardware and professional services from Mettler Toledo, a sole source provider, at a cost not to exceed \$30,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a sole source Agreement with RouteWare, Inc., for hardware devices, software, professional services, data plans and/or maintenance support.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Clemson University designating LFUCG as an internship site for therapeutic recreation students, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the United States Dept. of Justice and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$42,100 Federal funds under the 2019 State Criminal Alien Assistance Program (SCAAP), and are for reimbursement of costs related to the incarceration of undocumented criminal aliens.

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Upon motion by Ms. Bledsoe, and seconded by Ms. J. Brown, the Communications from the Mayor were approved by majority vote (Vice Mayor Kay was absent for the vote) and were as follows: (1) Recommending the appointment of Ms. Abbey A. Allen as alternate to the Address Enforcement Administrative Hearing Board, with term expiring May 2, 2022; (2) Recommending the appointments of Mr. Darrell Heckman, Ms. Katina Jo May, and Ms. Shirley Riley to the Bluegrass Crime Stoppers, all with terms expiring May 2, 2023; (3) Recommending the reappointment of Dr. Lee Dossett as Licensed Physician Member, and the appointment of Mr. Jack Cornett, Jr. as At Large Member, to the Board of Health, both with terms expiring June 30, 2021; (4) Recommending the appointments of Ms. Jessica Honicon and Ms. Shelby Howell to CASA of Lexington, both filling unexpired terms, both with terms expiring July 1, 2021; (5) Recommending the appointment of Council Member Josh McCurn to the Commission on Veterans' Affairs, filling an unexpired term, with term expiring March 22, 2022; (6) Recommending the

reappointment of Ms. Joan Whitman to the Housing Authority Board, with term expiring June 30, 2023; (7) Recommending the reappointment of Ms. Cordelia Harbut to the Parking Authority Board, with term expiring June 1, 2023; (8) Recommending the appointment of Mr. Christian Adair as Fayette County Public Schools Representative to the Parks and Recreation Advisory Board, with term expiring May 2, 2023; (9) Recommending the appointment of Ms. Heather Lyons as Mayor's Office Representative to the Public Arts Commission, with term expiring December 31, 2022; (10) Recommending the reappointment of Mr. Greg Doyle as Fayette County Citizen member to the Tree Board, with term expiring April 19, 2023; and, (11) Recommending the reappointment of Mr. Anthony Barrett as Landscape Architect member of the Urban County Arts Review Board, with term expiring June 1, 2023.

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

(1) Resignation of Eunice Ausby, Administrative Specialist, Grade 513N, Div. of Budgeting, effective March 31, 2019; (2) Resignation of Nathan Barks, Police Officer, Grade 311N, Div. of Police, effective April 21, 2019; (3) Resignation of Dallas Montfort, Heavy Equipment Technician, Grade 516N, Div. of Facilities and Fleet Management, effective March 31, 2019; (4) Resignation of Jesse Ahern, Police Officer Recruit, Grade 311N, Div. of Police, effective April 18, 2019; (5) Resignation of Kristin Wallace, Telecommunicator, Grade 514N, Div. of Emergency Management/911, effective April 1, 2019; (6) Resignation of Antron Masden, Telecommunicator, Sr., Grade 517N, Div. of Emergency Management/911, effective April 14, 2019; (7) Resignation of Hunter Kennedy, Police Officer, Grade 311N, Div. of Police, effective April 22, 2019; (8)

Resignation of David Stitsinger, Police Officer, Grade 311N, Div. of Police, effective April 18, 2019; (9) Resignation of Michael Tarlton, Police Officer, Grade 311N, Div. of Police, effective April 18, 2019; and, (10) Resignation of Tim W. Collins, Corrections Officer, Grade 109N, Div. of Community Corrections, effective April 2, 2019.

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Sergeant Roger Holland, Div. of Police, presented a disciplinary matter regarding Officer Roberto Reyes, Jr. It is alleged that Officer Reyes has committed the offense of Misconduct and Use of Force in violation of KRS 95.450 and General Order 1973-02J, Disciplinary Procedure, Appendix B, Operational Rule 1.02 – Misconduct and General Order 1973-02J, Disciplinary Procedure, Appendix B, Operational Rule 1.23 – Use of Force. In that on the various days of October and November, 2018 it is alleged that:

On Saturday, October 13th, 2018, at approximately 0231 hours, Officer Roberto Reyes responded to The Burl located at 375 Thompson Rd. in reference to a large crowd causing disorder; after officers arrived, a shot was fired. Officer Reyes approached the crowd and made contact with multiple people at the scene and began ordering people to move while using multiple expletive phrases. Officer Reyes continued to yell at multiple individuals without any purpose for several minutes. Also during the incident, Officer Reyes transitioned from his handgun to his taser. He pointed the taser at multiple people who were showing no signs of aggression or resistance towards the officers, using it as an intimidation tool.

On November 11th, 2018 at approximately 0311 hours, Officer Reyes responded to 1312 Devonport Dr. #1 in reference to an assault. The suspect was arrested for Assault 4th, Domestic Violence and placed in the backseat of Officer Reyes's cruiser. While handcuffed, the suspect was able to maneuver his hands to the front of his body and obtain a cell phone. Officer Reyes stopped the cruiser, made contact with the suspect at the rear passenger side door, and shortly thereafter, deployed his taser in the suspect while handcuffed. After a review of the Response to Resistance Report, it was determined that Officer Reyes's application of the taser was improper and not within the policy.

The appropriate punishment for this conduct is a three month suspension without pay.

Upon motion by Mr. Worley, seconded by Mr. Farmer, and approved by majority vote (Vice Mayor Kay was absent for the vote) the disciplinary recommendation was approved.

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Ms. Evans thanked the Department of Transportation for the hosting a meeting that occurred Tuesday, April 30, 2019, about the widening of Liberty Rd. Ms. Evans commented on the widely attended meeting and mentioned that the information provided would be available on her Facebook page, on the Department of Transportation's website, and by contacting her office directly.

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Ms. Lamb announced that the bridge located on Malabu Dr. will be closed for 3 months beginning Monday, May 6, 2019.

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Mayor Gorton shared some photos from a recent luncheon with visitors from the China Horse Club Leaders, the leaders from Ordos City, China, and several Kentucky Thoroughbred Association representatives. This luncheon was part of a visit in which Ordos City, which is looking to mirror Lexington's title of "Horse Capital," sought to gain perspective in Lexington's horse industry.

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Upon motion by Mr. Farmer, seconded by Ms. Lamb, and approved by majority vote (Vice Mayor Kay was absent for the vote), the meeting adjourned at 6:44 p.m.

Clerk of the Urban County Council