

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky March 18, 2021

*Due to the COVID-19 pandemic and State of Emergency, this meeting is being held via live video teleconference pursuant to 2020 Senate Bill 150, and in accordance with KRS 61.826, because it is not feasible to offer a primary physical location for the meeting.*

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on March 18, 2021 at 6:00 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the Council: Worley, Baxter, Bledsoe, F. Brown, J. Brown, Ellinger, Kay, Kloiber, Lamb, LeGris, McCurn, Moloney, Plomin, Reynolds, and Sheehan.

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

Ordinances No. 12-2021 through 14-2021, inclusive, and Resolutions No. 106-2021 through 132-2021, inclusive, were reported as having been signed and published and ordered to record.

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The Invocation was given by Jim Coleman.

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Amy Clark, Kastle Rd., spoke about the proposed Zoning Ordinance Text Amendment relating to sign regulations which was on the docket to receive second reading.

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Bill Farmer, Jr., commended Director Charlie Martin, Div. of Water Quality, for his years of dedication and professionalism in the light of the City's recent release from the Environmental Protection Agency's Consent Decree. He shared several ideas for utilizing the stimulus funds that were soon-to-be distributed to local governments per the 2021 American Rescue Plan Act.

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Upon motion by Ms. Plomin, seconded by Vice Mayor Kay, and approved by unanimous vote, the Minutes of the February 18, 2021 Police Disciplinary Hearing and March 11, 2021 Council Meeting were approved.

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Mayor Gorton introduced Bill Enright and spoke of his efforts involved in coordinating the Lexington Saint Patrick's Day Parade, Lexington's longest-running parade. She recognized him for his participation on several city commissions and read a Proclamation declaring March 18, 2021 as Bill Enright Day in Lexington.

Mr. Enright thanked the Mayor and Council for the recognition and talked about his history and the paramountcy of giving back to the Lexington community.

Mayor Gorton thanked Mr. Enright for his dedication and contributions to Lexington, and commented that she hoped to see Mr. Enright as a spectator at the 2022 St. Patrick's Day Parade. Mr. Enright divulged that a Halfway to St. Patrick's Day mini-festival was tentatively planned for September 2021.

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Ms. Lamb introduced Planning Manager Traci Wade, Div. of Planning, who gave a PowerPoint presentation in response to the public comments pertaining to the Zoning Ordinance Text Amendment relating to sign regulation, which was on the docket to receive second reading.

Ms. Wade reviewed the potential modifications to Subdivision Entrance Identification Signs, Real Estate Signs and the Economic Development (ED) Zone.

Mr. J. Brown asked Ms. Wade about the signs in proximity to residential areas in the ED Zone and if the ordinance addressed the direction in which the signs face. Ms. Wade responded. He asked if multiple signs were allowed in the displayed ED Zone tract. Ms. Wade responded.

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An Ordinance amending Articles 17, 8-21(o)4, 8-24(o)5, 22B-6, Appendix 24B-6(1), 28-3(h)(6), 28-4(h)(5) and 28-5(5) of the Zoning Ordinance relating to sign regulations received second reading.

Upon motion by Mr. Ellinger, and seconded by Mr. Worley, the ordinances were approved by the following vote:

Aye: Worley, Baxter, Bledsoe, F. Brown, J. -----14  
Brown, Ellinger, Kay, Kloiber, Lamb,  
LeGris, McCurn, Moloney, Reynolds,  
Sheehan

Nay: Plomin -----1

Ms. Plomin stated she voted against the ordinance due to the large commercial signage in the ED Zone and the lack of public comment.

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

Aye: Worley, Baxter, Bledsoe, F. Brown, J. -----15  
Brown, Ellinger, Kay, Kloiber, Lamb,  
LeGris, McCurn, Moloney, Plomin,  
Reynolds, Sheehan

Nay: -----0

An Ordinance amending Section 2-490 of the Lexington Fayette Urban County Government Code of Ordinances to remove the requirement that the Homelessness Prevention and Intervention Board submit annual reports and instead require that the Board review and approve reports developed by the Office of Homelessness Prevention and Intervention on the activities of the Innovative and Sustainable Solutions to Homelessness Fund prior to submission to the Mayor, the Urban County Council and the community.

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 2021 Schedule No. 36.

An Ordinance amending and restating Ordinance No. 42-2020, as amended and restated by Ordinance No. 54-2020; Ordinance No. 80-2020; and Ordinance 103-2020, which pertains to the suspension of certain Ordinances for expanded restaurant, bar, and retail business uses, to extend the deadline through October 31, 2021; to remove temporary street closures; to provide the procedure for requesting the use of on street parking and adjacent parks; to require current permit holders to reapply; and to provide

certain clarifications and other corresponding changes, effective upon passage of Council.

An Ordinance amending the authorized strength by creating one (1) unclassified position of Overdose Prevention Project Coordinator, Grade 519N, for a term of two (2) years ending September 30, 2023 and also extending the current terms of the existing unclassified Overdose Prevention Project Coordinator, Grade 519N, for a term of two (2) years ending September 30, 2023 in the Div. of Fire and Emergency Services, effective upon passage by Council.

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to reflect current requirements for funds in the amount of \$3,000 to provide funds for Council Projects in the Div. of Environmental Services to assist with Greenspace Commission's Coldstream Park Native Area Enhancement Tree Planting project and appropriating and re-appropriating funds, Schedule No. 38.

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The following ordinances received first reading and were ordered to be placed on file for public inspection until April 8, 2021:

An Ordinance of the Lexington Fayette Urban County Government establishing a schedule of fees to be charged by the Lexington Fayette Urban County Government in connection with the issuance of Revenue Bonds pursuant to KRS 103.200 to 103.285.

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to reflect current requirements for funds in the amount of \$5,000 to provide funds for Council projects in the Div. of Community and Resident Services for the reading room at the Black and Williams Neighborhood Center and appropriating and re-appropriating funds, Schedule No. 40.

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to reflect current requirements for funds in the amount of \$1,373 to provide funds for Council Projects in the Dept. of Environmental Quality and Public Works for the installation of Distillery District/Manchester Street signage and appropriating and re-appropriating funds, Schedule No. 41.

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to reflect current requirements for funds in the amount of \$6,600 to

provide funds for Council Projects in the Div. of Parks and Recreation for the installation of a water source in Kirklevington Park and startup of the Fairlington Community Garden Project and appropriating and re-appropriating funds, Schedule No. 42.

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to reflect current requirements for funds in the amount of \$195 from Neighborhood Development Funds for purchase and replacement of a damaged right of way tree at the Belleau Wood neighborhood entrance, Schedule No. 39.

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 2021 Schedule No. 37.

An Ordinance amending the authorized strength by abolishing one (1) vacant classified position of Sewer Line Maintenance Assistant Superintendent, Grade 520E, one (1) vacant classified position of Maintenance Mechanic, Grade 515N and creating one (1) classified position of Public Service Supervisor Sr., Grade 517N, and one (1) classified position of Engineering Technician Sr., Grade 516N, in the Div. of Water Quality, effective upon passage of Council.

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A Resolution amending Resolution 657-2019 to revise account numbers for payment of \$199,949 to Gresham Smith and Partners, for services under Contract Modification No. 5 for the Town Branch Commons Corridor received second reading.

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

Aye: Worley, Baxter, Bledsoe, F. Brown, J. -----14  
Brown, Ellinger, Kay, Kloiber, Lamb,  
LeGris, McCurn, Plomin, Reynolds,  
Sheehan

Nay: Moloney -----1

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A Resolution amending Resolution 116-2020 to revise account numbers for payment of \$94,000 to Stantec Consulting Services, Inc., for services under a Professional Services Agreement related to the Town Branch Commons and Town Branch Trail Phase 6 and Turn Lane projects received second reading.

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

Aye: Worley, Baxter, Bledsoe, F. Brown, J. -----14  
Brown, Ellinger, Kay, Kloiber, Lamb,  
LeGris, McCurn, Plomin, Reynolds,  
Sheehan

Nay: Moloney -----1

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A Resolution amending Resolution 126-2020 to revise account numbers for payment of \$160,233 to Acheulean Consulting for services under a Professional Services Agreement related to the Town Branch Commons construction project received second reading.

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

Aye: Worley, Baxter, Bledsoe, F. Brown, J. -----14  
Brown, Ellinger, Kay, Kloiber, Lamb,  
LeGris, McCurn, Plomin, Reynolds,  
Sheehan

Nay: Moloney -----1

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

Aye: Worley, Baxter, Bledsoe, F. Brown, J. -----15  
Brown, Ellinger, Kay, Kloiber, Lamb,  
LeGris, McCurn, Moloney, Plomin,  
Reynolds, Sheehan

Nay: -----0

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with AudienceView Inc. for ticket services for the Pam Miller Downtown Arts Center, at no cost to the government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from the City of Manassas, Virginia of 34 Scott air packs, for use at the Div. of Fire and Emergency Services, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor to execute an Agreement with Management Registry, Inc., to provide support staff for the Chemical Stockpile Emergency Preparedness Program, at a cost not to exceed \$184,033.

A Resolution accepting the bids of Central Equipment Co. and Wright Implement, establishing price contracts for Tractor and Mower Parts, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bids of Wastequip Manufacturing Co., LLC, and Taza Supplies, establishing price contracts for Open Top Containers, for the Div. of Waste Management.

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 Classified Civil Service Appointments of: Nolan Sweet, Technical Specialist, Grade 515N, \$18.797 hourly in the Div. of Computer Services, effective March 22, 2021, Anthony Owens, Public Service Supervisor Sr., Grade 517N, \$23.352 hourly in the Div. of Water Quality, effective March 22, 2021; and ratifying the Probationary Sworn Appointment of: Timothy Graul, Police Sergeant, Grade 315N, \$32.408 hourly in the Div. of Police, effective March 15, 2021; and ratifying the Classified Civil Service Voluntary Demotion of: Brenna Angel, Information Office Supervisor, Grade 522E, \$2,700.88 biweekly in the Div. of Parks and Recreation, effective April 5, 2021.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to an Agreement with Welcome House of Northern Ky. in order to reduce the total contract price by \$60,896 and extend the period of performance for a fourth year, and to provide an option to renew the contract for a fifth year at a cost of \$94,960.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 6 with the Ky. Transportation Cabinet, for the acceptance of additional Federal funds in the amount of \$3,855,000 for the Newtown Pike Extension Project, the acceptance of which obligates the Urban County Government for the expenditure of \$200,000 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 the Second Renewal of the Agreement with Advanced Mulching Technologies, Inc. d/b/a EcoGro, for post construction monitoring, reporting, and maintenance relating to the Coldstream Park Stream Corridor Restoration and Preservation Project, a Supplemental Environmental Project required by the Consent Decree, at a cost estimated not to exceed \$133,810.

A Resolution authorizing and directing the Div. of Traffic Engineering to install five (5) speed tables on Pine Bloom Drive between Alexandria Drive and Georgian Way per guidelines in the Neighborhood Traffic Management Program, at a cost not to exceed \$22,500.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with the University of Ky. Army ROTC, for the use of Hisle Farm Park for ROTC training, at no cost to the government.

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

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant to Walnut Hill Club at Chilesburg Owners Association, Inc., for stormwater quality projects, at a cost not to exceed \$98,400.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Education) Incentive Grant to Bluegrass Greensource, Inc., for stormwater quality projects, at a cost not to exceed \$35,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Railroad Facility Encroachment Agreement with CSX Transportation, Inc., for the New Circle Rd. Trunks A & B Sewer Project, a Remedial Measures Project required by the Consent Decree, at a cost not to exceed \$8,600.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Master Services Agreement and related documents with TrustedSec, LLC, for LFUCG Technical Infrastructure Security Assessment Services, for



the Chief Information Officer, at a cost not to exceed \$12,000; and authorizing the Chief Information Officer to execute necessary Change Orders for this project up to a cumulative amount not to exceed twenty percent (20%) of the Contract price.

A Resolution approving and authorizing a Supplemental Assistance Agreement between the Lexington Fayette Urban County Government and the Ky. Infrastructure Authority to provide an additional \$15,811,809 in loan funds for Phase 2 of the West Hickman Wet Weather Storage Tanks Project.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with the Commonwealth of Ky. Education and Workforce Development Cabinet, Dept. of Workforce Investment, at a cost not to exceed \$2,400.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with AssetWorks Risk Management Inc., a sole source provider, for professional property appraisal services, for comprehensive property insurance appraisal services and supplemental property underwriting data, at a cost not to exceed \$33,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Dept. of Environmental Protection Div. of Waste Management, and to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$102,000 in Commonwealth of Ky. funds, for the support of a one day household hazardous waste recycling event for Fayette County in FY 2022, the acceptance of which obligates the Urban County Government to the expenditure of \$25,500 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit various Grant Applications to the Ky. Transportation Cabinet, to provide any additional information requested in connection with these Grant Applications, and to accept these Grants if these Grants are awarded, which Grant funds are in the amount of \$793,176 ((\$401,600 - FHWA Planning), (\$48,400 - Federal Transit Administration Section 5303), (\$343,176 - Surface Transportation Block Grant (SLX)) in

Federal funds, and are for FY 2022 Transportation Planning Activities, under the Unified Planning Work Program (UPWP), the acceptance of which obligates the Urban County Government for the expenditure of \$173,194 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution dividing the Extended Social Resource (ESR) Program into two distinct and operationally independent components: the Community Based Initiatives Program, administered by the Dept. of Social Services, and the Overnight Emergency Shelter Program, administered by the Office of Homelessness Prevention and Intervention; setting a minimum Budgetary funding goal of one percent (1%) of the General Fund Revenue collected from the last full fiscal year; and establishing funding percentages for each component of the ESR Program within the ESR Program Budget.

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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: Alex Herring, Equipment Operator Sr., Grade 512N, \$16.792 hourly in the Div. of Streets and Roads, effective April 12, 2021, Melissa Turner, Social Worker, Grade 513E, \$1,434.40 biweekly in the Div. of Family Services, effective April 5, 2021; and authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Community Corrections Officer Appointments: Jacob Shearer and Wesley Kreifels, both Community Corrections Officer Recruit, Grade 109N, \$15.384 hourly in the Div. of Community Corrections, effective upon passage of Council; and authorizing the Div. of Human Resources to make a conditional offer to the following Unclassified Civil Service Appointment: Felicia Johnson, Educational Program Aide P/T, Grade 508N, \$14.918 hourly in the Div. of Youth Services, effective March 22, 2021 received first reading.

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

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

Aye: Worley, Baxter, Bledsoe, F. Brown, J. -----15  
Brown, Ellinger, Kay, Kloiber, Lamb,  
LeGris, McCurn, Moloney, Plomin,  
Reynolds, Sheehan

Nay: -----0

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Agreement with the U.S. Dept. of Housing and Urban Development under the Housing Opportunities for Persons with AIDS (HOPWA) Grant Program, extending the Period of Performance through April 30, 2021, and shifting funding from one eligible activity to another received first reading.

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

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

Aye: Worley, Baxter, Bledsoe, F. Brown, J. -----15  
Brown, Ellinger, Kay, Kloiber, Lamb,  
LeGris, McCurn, Moloney, Plomin,  
Reynolds, Sheehan

Nay: -----0

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement and any necessary documents, including amendments that do not require the expenditure of additional funds, with Catholic Charities of the Diocese of Lexington to provide additional relocation services to the public, at a total cost not to exceed \$204,016 received first reading.

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

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

Aye: Worley, Baxter, Bledsoe, F. Brown, J. -----15  
Brown, Ellinger, Kay, Kloiber, Lamb,  
LeGris, McCurn, Moloney, Plomin,  
Reynolds, Sheehan

Nay: -----0

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A Resolution, on behalf of the Urban County Government, authorizing and directing the Mayor to accept a direct allocation of Federal Grant funds from the United States Treasury under the American Rescue Plan Act of 2021, which Grant funds are up to \$9,000,000, for the purpose of providing emergency rental assistance to residents of Fayette County, 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 received first reading.

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

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

Aye: Worley, Baxter, Bledsoe, F. Brown, J. -----15  
Brown, Ellinger, Kay, Kloiber, Lamb,  
LeGris, McCurn, Moloney, Plomin,  
Reynolds, Sheehan

Nay: -----0

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Wild Health, Inc., and its subsidiary, C19 Laboratories, Inc., in order to provide testing for COVID-19 received first reading.

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

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

Aye: Worley, Baxter, Bledsoe, F. Brown, J. -----15  
Brown, Ellinger, Kay, Kloiber, Lamb,  
LeGris, McCurn, Moloney, Plomin,  
Reynolds, Sheehan

Nay: -----0

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The following resolutions received first reading and were ordered to be placed on file for public inspection until April 8, 2021:

A Resolution ratifying the Probationary Classified Civil Service Appointment of: Everett Hampton, Skilled Trades Worker, Grade 515N, \$21.104 hourly in the Div. of Facilities and Fleet Management, effective March 29, 2021; and ratifying the Permanent Classified Civil Service Appointments of: George Robinson III, Heavy Equipment Technician, Grade 518N, \$23.936 hourly in the Div. of Facilities and Fleet Management, effective March 21, 2021, Sachatawana Toller, Equipment Operator Sr., Grade 512N, \$16.291 hourly in the Div. of Streets and Roads, effective March 21, 2021, Dennis Forbes, Equipment Operator Sr., Grade 512N, \$17.766 hourly in the Div. of Streets and Roads, effective March 8, 2021; and ratifying the Permanent Sworn Appointment of: Ron Moore, Police Sergeant, Grade 315N, \$32.408 hourly in the Div. of Police, effective February 28, 2021; and ratifying the Classified Civil Service Voluntary Demotion of: Danny Stevens, Public Service Worker, Grade 507N, \$18.079 hourly in the Div. of Parks and Recreation, effective March 8, 2021.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant to Griffin Gate Community Association, Inc., for stormwater quality projects, at a cost not to exceed \$10,293.20.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Environmental Covenant with the Commonwealth of Ky., Transportation Cabinet, related to the Newtown Pike Extension Project, at no cost to the Urban County Government.

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 \$201,500 in Federal funds under the FY 2020 State Homeland Security Grant Program, for the purchase of a camera, searchlight, navigation hardware and software and associated support equipment and installation 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.

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Upon motion by Vice Mayor Kay, and seconded by Mr. Ellinger, the Communications from the Mayor were approved by unanimous vote and were as follows: (1) Recommending the appointment of Adam Smith, Utility Industry Representative Voting, filling the unexpired term of Robert Trimble, to the Corridors Commission, with term expiring August 1, 2023; (2) Recommending the reappointment of Larry Isenhour, District 5 Resident, to the Environmental Commission, with term expiring February 23, 2025; (3) Recommending the reappointment of Olivia Davis, to the Explorium Board, with term expiring June 30, 2024; (4) Recommending the appointment of Ann Bakhaus, to the Lexington Center Corporation, with term expiring July 1, 2024; and, (5) Recommending the reappointment of Todd Lockhart, Fayette County Representative, and the appointment of Steve Cox, Fayette County Representative, to the Valley View Authority, with both terms expiring May 2, 2025.

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Ms. Reynolds spoke about the value of in-person Council meetings.

Ms. Reynolds motioned for the Council to meet in-person for official Council meetings after the Council Spring Break, at which point they will all be fully vaccinated, on Tuesday, April 6, 2021. The motion was seconded by Mr. Ellinger.

Ms. Lamb asked Sally Hamilton, Chief Administrative Officer, to explain the restrictions and requirements of the Center for Disease Control (CDC) on in-person meetings, particularly noting the undisclosed status of staff vaccinations. CAO Hamilton responded, referencing capacity restrictions in the Council Chambers. She specified that the administration would work with staff who may be dubious about attending in-person and acknowledged that employees could not be asked if they have received the vaccine.

Ms. Lamb inquired if the Council, after being vaccinated, would need to wear masks during the in-person meetings, as they would not be able to determine if other persons in the Council Chambers were vaccinated. CAO Hamilton responded that she and the staff would stay masked.

Ms. Sheehan asked Commissioner Susan Speckert, Dept. of Law, about the logistics of returning to in-person meetings in the Council Chambers in regards to the building being reopened to the public. Comm. Speckert advised that the Attorney General had opined that if a legislative body were to return to in-person meetings, the building must be reopened to the public. She proposed that safety restrictions, such as capacity, social distancing, and masking, could be implemented.

Mayor Gorton asked Comm. Speckert if the masking was currently a mandate. Comm. Speckert responded.

Mr. Moloney talked about vaccination statistics and the distribution timeline. He mentioned that some public venues require proof of vaccination upon entry and supposed that the question of vaccination proof requirement to enter a government building may be asked in the future and should be taken into consideration. Mr. Moloney spoke in support of returning to in-person meetings but suggested that the return be delayed until after summer break.

Ms. LeGris posited if a hybridized option of participation could be provided for public comment and/or support staff. Mayor Gorton responded. Comm. Speckert explained the building must be reopened to the public if the full Council returns to in-person meetings and additional accommodations for other means of public participation could be worked out. Ms. LeGris asked if all of the logistics would need to be determined and coordinated in the upcoming two to three weeks. Mayor Gorton and Comm. Speckert confirmed. Ms. LeGris inquired if the issue of the public removing masks when speaking would be included in the logistics planning. Mayor Gorton and Comm. Speckert confirmed.

Mr. Ellinger spoke about the Red Zone status and its relation to the previous return-to-in-person discussion last year. He asked about protocols followed by state legislators as they have been meeting in-person. Mayor Gorton responded. Mr. Ellinger inquired if the motion encompassed Work Sessions and Council Committee meetings as well. Ms.

Reynolds responded. Comm. Speckert spoke about the possibility of holding certain meetings in-person versus virtual as considered on an individual basis. Mr. Ellinger asked if the City returned to Red Zone status, if the meetings would halt in-person format and return to virtual teleconference. Ms. Reynolds agreed. Mr. Ellinger stated his support of the motion.

Mayor Gorton relayed a message from Chief Development Officer Kevin Atkins, Mayor's Office, which imparted that the Kentucky General Assembly only allows the public to attend their in-person meetings when offering testimony otherwise the general public is not allowed to attend in-person. Mr. Ellinger requested follow-up on that information and how it would apply to the City. Comm. Speckert elaborated that the City would be required to provide a physical location in which the public could gather and watch the meeting. Keith Horn, Dept. of Law, responded.

Ms. Plomin commented that more time than two weeks was needed to plan and coordinate the logistics. She suggested returning closer towards the end of May, referencing the vaccination timeframe as stated by President Biden.

Vice Mayor Kay shared that while he felt comfortable returning to in-person meetings in two weeks' time, he wanted to honor the wishes of the Councilmembers who did not feel comfortable returning yet. He advocated waiting to return to in-person meetings when all Councilmembers were comfortable and in support.

Ms. Reynolds asked CAO Hamilton if the administration could present a plan in three weeks for returning to in-person meetings. CAO Hamilton responded that an outline could be presented but some protocols may need to be determined by the Council's preference. Ms. Reynolds postponed her motion until April 6. Mayor Gorton requested Ms. Reynolds remove her motion and make a new motion at a later date. Ms. Reynolds rescinded her motion. Mr. Ellinger rescinded his second.

Mr. Worley inquired if Ms. Reynolds request for the administration to present a plan was a formal or informal request. Ms. Reynolds clarified that it was not part of the motion but a request. Mayor Gorton inquired Ms. Reynolds wanted to put her request in the form of a motion. CAO Hamilton confirmed that she understood the directive of the request. Mr. Worley delineated that the request did not necessarily require a motion but that he wanted to be sure the request was defined for the record.



Ms. Lamb commented on the new COVID-19 variants in Kentucky which were affecting all demographics, including those who had been vaccinated. She inquired as to how the Council would know if everyone is vaccinated since it cannot be asked. Mayor Gorton elucidated that while there was not a way of tracking how many city employees were vaccinated, Governor Beshear's COVID-19 updates included the number of vaccinations distributed in Lexington. Ms. Lamb spoke in support of returning to in-person meetings but stated the importance of ensuring the safety of staff and other city employees.

Mayor Gorton established that CAO Hamilton's plan would be presented at the April 6, 2021 Work Session.

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Mr. J. Brown asked about the diversity among city government recruitment of board and commission members, current employees, and advancements for promotion. He indicated that he did not expect a response immediately but suggested revisiting the topic, as well as the diversity training with a focus on implicit bias, upon the Council's return from break.

Mayor Gorton spoke about the increase of diversity amongst board and commission members and commented that the status of the Implicit Bias Training RFP would be easily obtainable.

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Mr. Moloney echoed Mr. J. Brown's remarks, commenting that it was important that the City focus on improving its own employment diversity, in consideration of the recommendations of diversity improvement for external agencies made by the Mayor's Commission for Racial Justice and Equality.

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Upon motion by Ms. Bledsoe, seconded by Ms. Plomin, and approved by unanimous vote, the meeting adjourned at 7:31 p.m.

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Deputy Clerk of the Urban County Council