

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky May 7, 2020

Due to the COVID-19 pandemic, state of emergency and Governor Beshear's Executive Orders regarding social distancing, this meeting of the Urban County Council is being held via video-teleconference pursuant to Senate Bill 150 (as signed by the Governor on March 30, 2020) and Attorney General Opinion 20-05, 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 special session on May 7, 2020 at 6:00 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the council: Evans, Farmer, Kay, Lamb, McCurn, Moloney, Plomin, Reynolds, Swanson, Bledsoe, F. Brown, J. Brown and Ellinger. Absent were Council Members Mossotti and Worley.

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

Resolutions No. 183-2020 through 184-2020, inclusive, were reported as having been signed and published and ordered to record.

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The Invocation was given by Councilmember Amanda Bledsoe who read a Franciscan Benediction.

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Mr. Worley joined the meeting at 6:02 p.m.

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Ms. Mossotti joined the meeting at 6:04 p.m.

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Upon motion by Mr. Farmer, seconded by Vice Mayor Kay, and approved by unanimous vote, the Minutes of the March 5, 2020 Regular Council Meeting; March 17, 2020 Special Council Meeting; March 19, 2020 Regular Council Meetings; April 9, 2020 Canceled Council Meeting; April 23, 2020 Special Council Meeting; April 28, 2020 Budget Address; and April 9, 2019 Budget Address were approved.

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Mr. Farmer moved to limit the public comment to 3 minutes by suspending Appendix A - Council Rules & Procedures Section 4.101: *Members of the public who have signed up to speak may yield their time, when present, to another member.* Vice Mayor Kay seconded and the motion was approved by unanimous vote.

Mayor Gorton spoke about the reasons for the public hearing and its virtual platform.

At 6:06 p.m., she declared open the public hearing on the FY21 Mayor's Proposed Budget Content and invited public comment.

Mayor Gorton welcomed Mr. Roy Harrison and congratulated him for being the first public commenter at a virtual meeting of the Urban County Council.

Mr. Roy Harrison, S. Upper St., Vice President of the Aids Volunteers of Lexington KY Board, thanked the Mayor and the Council for their effort in the budget process in the current economic climate. He also spoke about the defunding of the Extended Social Resource (ESR) Grant in the Mayor's Proposed Budget and the significant impact this grant has on many social services and non-profit organizations across Lexington. Mr. Harrison requested Council to consider restoring the ESR Grant funding in their Budget discussions.

At 6:11 p.m., Mayor Gorton declared the public hearing closed.

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Mayor Gorton spoke about the reasons for the public hearing and its virtual platform. At 6:12 p.m., she declared open the public hearing on the FY21 Municipal Aid Program and Mineral Severance Tax and invited public comment.

At 6:13 p.m., no one having appeared for public comment, Mayor Gorton declared the public hearing closed.

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Upon motion by Ms. Evans, seconded by Ms. Plomin, and approved by unanimous vote, an Ordinance imposing an annual assessment on the real property located at 1810 Bryant Rd. pursuant to the Energy Project Assessment District Program created by Ordinance No. 24-2018 and KRS 65.205 et seq (the Energy Project Assessment District (EPAD) Act of 2015) in the amount provided in the related notice of assessment;

authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the notice of assessment, EPAD Program Financing Agreement, and other related Agreements with Rainmaker Holdings VII LLC; SSHCOF III Pace Lexington, LLC; and the Fayette County Sheriff; authorizing and directing the Dept. of Finance to remit the amounts received from the assessments, minus an administrative fee, to the applicable lender; and authorizing and directing the administrator of the EPAD Program to file the notice of assessment in the records of the Fayette County Clerk; all which shall be effective upon passage of Council, received second reading.

The Mayor inquired about the reading status of the ordinance. Mr. Dave Barberie, Dept. of Law, responded. Ms. Lamb requested clarification on the ordinance origination. Mr. Barberie responded.

Upon motion by Mr. Farmer and seconded by Mr. Ellinger, the ordinance was approved by the following vote:

Aye: Evans, Farmer, Kay, Lamb, McCurn, -----15
Moloney, Mossotti, Plomin, Reynolds,
Swanson, Worley, Bledsoe, F. Brown, J.
Brown, Ellinger

Nay: -----0

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

Aye: Evans, Farmer, Kay, Lamb, McCurn, -----15
Moloney, Mossotti, Plomin, Reynolds,
Swanson, Worley, Bledsoe, 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, Schedule No. 43.

An Ordinance of Lexington Fayette Urban County Government authorizing the issuance of Lexington Fayette Urban County Government Various Purpose General Obligation Refunding Bonds, in one or more subseries, for the purpose of refunding all or a portion of certain outstanding General Obligation Bonds of the Lexington Fayette Urban County Government including, but not limited to, the outstanding General Obligation

Bonds listed on Exhibit A hereto; approving a form of bond; authorizing designated officers to execute and deliver the bonds; providing for the payment and security of the bonds; creating a bond payment fund and escrow funds; maintaining the heretofore established sinking fund; authorizing a certificate of award for the acceptance of the bid of the bond purchaser for the purchase of the refunding obligations; authorizing an Escrow Trust Agreement; and repealing inconsistent Ordinances.

Repeal of Ordinance No. 34-2020 which authorized the issuance of Lexington Fayette Urban County Government General Obligation Pension Funding Refunding Bonds, Series 2020A (federally taxable), in one or more subseries in an aggregate principal amount of \$17,775,000 for the purpose of refunding all or a portion of the outstanding principal amount of Lexington Fayette Urban County Government Taxable General Obligation Pension Funding Bonds, Series 2012A and authorizing other matters with respect thereto.

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The following ordinances received first reading and were ordered to be placed on file for public inspection until May 28, 2020:

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 Traffic Engineering for the purchase and installation of speed tables for Glendover Rd. and appropriating and re appropriating funds, Schedule No. 45.

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to reflect current requirements for funds in the amount of \$44,873 to provide funds for Council Projects in the Div. of Streets and Roads for paving projects in the Sixth Council District and appropriating and re appropriating funds, Schedule No. 46.

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. 47.

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 Parks and Recreation to assist with

plantings in Veterans Park at Rockbridge for flooding control and appropriating and re appropriating funds, Schedule No. 50.

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to reflect current requirements for funds in the amount of \$18,000 to provide funds for Council Projects in the Div. of Traffic Engineering to assist with installation of four speed tables on Forest Lake Drive and appropriating and re appropriating funds, Schedule No. 49.

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to reflect current requirements for funds in the amount of \$22,613 to provide funds for Council Projects in the Div. of Traffic Engineering to fund expenses related to pedestrian and traffic safety issues in the Third District and appropriating and re appropriating funds, Schedule No. 48.

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A Resolution accepting the bid of E.C. Matthews Co., Inc., in the amount of \$128,400, for Richmond Rd. Phase Two Corridor Landscape Project, for the Div. of Environmental Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with E.C. Matthews Co., Inc., related to the bid received second reading.

Upon motion by Mr. Farmer, and seconded by Ms. Plomin, the resolutions were approved by the following vote:

Aye: Evans, Farmer, Kay, Lamb, McCurn, -----11
Reynolds, Swanson, Worley, F. Brown, J.
Brown, Ellinger

Nay: Moloney, Mossotti, Plomin, Bledsoe -----4

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A Resolution accepting the bid of E.C. Matthews Co., Inc., in the amount of \$112,700, for Versailles Rd. Welcome Sign, for the Div. of Environmental Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with E.C. Matthews Co., Inc., related to the bid received second reading.

Upon motion by Mr. Farmer, and seconded by Ms. Plomin, the resolutions were approved by the following vote:

Aye: Evans, Farmer, Kay, Lamb, McCurn, -----10
Reynolds, Worley, F. Brown, J. Brown,
Ellinger

Nay: Moloney, Mossotti, Plomin, Swanson, -----5
Bledsoe

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

Aye: Evans, Farmer, Kay, Lamb, McCurn, -----15
Moloney, Mossotti, Plomin, Reynolds,
Swanson, Worley, Bledsoe, F. Brown, J.
Brown, Ellinger

Nay: -----0

A Resolution accepting the bid of Brandeis Machinery & Supply Co., in the amount of \$38,871.28, for Light Towers, for the Div. of Police.

A Resolution accepting the bid of Davis H. Elliot Construction Co., Inc., establishing a price contract for Inductive Loop Vehicle Detection, for the Div. of Traffic Engineering.

A Resolution ratifying the Permanent Civil Service Appointments of: Deon Smither, Trades Worker Sr., Grade 511N, \$15.915 hourly in the Div. of Streets and Roads, effective February 26, 2020; Andrew Mains, Public Service Worker Sr., Grade 509N, \$15.547 hourly in the Div. of Streets and Roads, effective March 3, 2020; Joyce Rifenbark, Telecommunicator Sr., Grade 517N, \$22.037 hourly in the Div. of Enhanced 911, effective April 14, 2020; Kristi McIntosh, Telecommunicator Sr., Grade 517N, \$20.724 hourly in the Div. of Enhanced 911, effective March 16, 2020 and John Harris Jr., Fleet Parts Specialist Sr., Grade 513N, \$17.049 hourly in the Div. of Facilities and Fleet Management, effective March 16, 2020; ratifying the Permanent Sworn Appointments of: Jacob Dixon, Police Officer, Grade 311N, \$21.695 hourly in the Div. of Police, effective March 31, 2020; and ratifying the Classified Civil Service demotions of: Judith Cox, Telecommunicator Sr., Grade 517N, \$21.271 hourly in the Div. of Enhanced 911, effective April 13, 2020; Darren Lizer, Vehicle & Equipment Technician, Grade 514N, \$20.339 hourly in the Div. of Facilities and Fleet Management, effective March 16, 2020.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Riskmaster Accelerator Amazon Web Services Software as a Service Access Agreement, Work Order No. 8, with Computer Sciences Corporation for the Riskmaster Upgrade Project, adding fifteen (15) hours of project management services and increasing the Contract price by the sum of \$2,475 from \$35,525 to \$38,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Agreement with ATS Construction for the Polo Club Boulevard Rd. Project, decreasing the Contract price by the sum \$20,151.87 from \$2,809,352.40 to \$2,789,200.53.

A Resolution establishing Accruent as a sole source provider, for host and support of a computer maintenance management system (maintenance connection), for the Div. of Parks and Recreation and authorizing the Mayor or her designee, on behalf of the Urban County Government, to execute any necessary Agreements with Accruent, related to the procurement of these goods and services, at a cost not to exceed \$97,696.81.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a lease Agreement with Bluegrass Community Health Center, for the space located at 1306 Versailles Rd. at a cost not to exceed \$138,375.

A Resolution authorizing the Div. of Water Quality, on behalf of the Urban County Government, to purchase two (2) Sulzer ABS Submersible Pumps for the Town Branch Waste Water Treatment Plant, from Southern Sales Co., Inc., a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Southern Sales Co., Inc., related to the procurement, at a cost estimated not to exceed \$88,640.

A Resolution establishing Rave Mobility Safety, as a sole source provider for the purchase of Smart911 Software, for the Div. of Enhanced 911, and authorizing and directing the Mayor or her designee, on behalf of the Urban County Government, to execute any necessary Agreements with Rave Mobility Safety related to the procurement of this software, at a cost not to exceed \$72,000.

A Resolution authorizing the Div. of Police, on behalf of the Urban County Government, to accept Thoroughbred Aviation, Bell Helicopter Service, as a sole source provider, for service of the police helicopter.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Statement of Work with Cooperative Personnel Services d/b/a CPS HR Consulting, for written examination development, exam administration, and assessment services, for the Fire Lieutenant, Fire Captain, and Fire major promotional processes in the Div. of Fire and Emergency Services, at a cost not to exceed \$142,500.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation of cleaning and sanitizing services from SERVEPRO for the Div. of Fire and Emergency Services and to execute any necessary documents relating to the acceptance the donation, at no cost to the Urban County Government.

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Upon motion by Mr. J. Brown, seconded by Ms. Lamb, and approved by unanimous vote, a Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Healing Communities Study (HCS) as a partner agency, for designated personnel in the Div. of Community Corrections to receive and distribute naloxone received first reading.

Upon motion by Ms. Reynolds, seconded by Mr. J. Brown, and approved by majority vote (Mr. F. Brown voted no), the rules were suspended and the resolution received second reading.

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

Aye: Evans, Farmer, Kay, Lamb, McCurn, -----15
Moloney, Mossotti, Plomin, Reynolds,
Swanson, Worley, Bledsoe, F. Brown, J.
Brown, Ellinger

Nay: -----0

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A Resolution accepting the bid of Alliance Comfort Systems, Inc., in the amount of \$102,065.35, for Cooling Tower Repairs, for the Div. of Community Corrections received first reading.

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

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

Aye: Evans, Farmer, Kay, Lamb, McCurn, -----15
Moloney, Mossotti, Plomin, Reynolds,
Swanson, Worley, Bledsoe, 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 U.S. Dept. of Homeland Security and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the total amount of \$167,000 in Federal funds, under the assistance to Firefighters Grant Program COVID-19 supplemental for fiscal year 2020, and are for the purchase of replacing or purchasing personal protective equipment for the COVID 19 response efforts received first reading.

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

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

Aye: Evans, Farmer, Kay, Lamb, McCurn, -----15
Moloney, Mossotti, Plomin, Reynolds,
Swanson, Worley, Bledsoe, 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. Dept. of Juvenile Justice, to provide any additional information required in connection with this Grant Application, and to accept this Grant if this Grant is awarded, which Grant funds are in the amount of \$198,070.60 in state funding for fiscal years 2021 and 2022, and are for the provision of Day Treatment Services within the Div. of Youth Services, the acceptance

of which obligates the Urban County Government for the expenditure of \$312,085.00 in funds for fiscal years 2021 and 2022 received first reading.

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

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

Aye: Evans, Farmer, Kay, Lamb, McCurn, -----15
Moloney, Mossotti, Plomin, Reynolds,
Swanson, Worley, Bledsoe, F. Brown, J.
Brown, Ellinger

Nay: -----0

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A Resolution accepting the bid of Structural Systems Repair Group, LLC, in the amount of \$697,000, for the Government Center Envelope Improvements, for the Dept. of General Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Structural Systems Repair Group, LLC, related to the bid received first reading.

Mr. Farmer asked what repairs would be encompassed in the cost of the bid. Mr. Jamshid Baradaran, Comm. of General Services, responded.

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

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

Aye: Evans, Farmer, Kay, Lamb, McCurn, -----15
Moloney, Mossotti, Plomin, Reynolds,
Swanson, Worley, Bledsoe, F. Brown, J.
Brown, Ellinger

Nay: -----0

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Upon motion by Mr. Farmer, seconded by Mr. McCurn, and approved by unanimous vote, a Resolution amending the Council Project Expenditure Policy adopted pursuant to Resolution No. 227-2016 to extend the date for encumbering project funds to December 31, 2020 received first reading.

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The following resolutions received first reading and were ordered to be placed on file for public inspection until May 28, 2020:

A Resolution accepting the bid of United Rentals (North America), Inc., establishing a price contract for Portable Restrooms, for the Div. of Parks and Recreation.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with I/O solutions, Inc. for Police Sergeants and Police Lieutenants promotional processes for the Lexington Div. of Police, at a cost not to exceed \$76,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. 6 to the Agreement with Gresham Smith and Partners for design services related to the Town Branch Commons Corridor Project, increasing the Contract Price by the sum of \$2,996.00.00 from \$3,385,744.39 to \$3,388,740.39.

A Resolution ratifying, on behalf of the Urban County Government, the Mayor's previous execution of a modified Grant Agreement with the Ky. Office of Homeland Security to extend the period of performance for the FY18 State Homeland Security Grant for the Lexington Bomb Squad through June 30, 2021, at no additional cost to the Urban County Government.

A Resolution authorizing the Div. of Emergency Management on behalf of the Urban County Government, to purchase Accessible Hazard Alert System, from Deaf Link Inc., a sole source provider, at a cost not to exceed \$8,687.49.

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, Grey Oak Lane, LLC, Ball Homes, LLC, and the City of Nicholasville, to provide sanitary sewer conveyance and treatment capacity to the Ash Grove Joint Storm and Sanitary Project in Jessamine County.

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 N/R Enterprises, LLC, to provide sanitary sewer conveyance and treatment capacity to lots 1, 2, and 3A to 3C of the DDD&W LLC Property (Brannon Shoppes Development) in Jessamine County.

A Resolution ratifying, on behalf of the Urban County Government, the Mayor's previous acceptance of a Grant from the KY. Dept. of Corrections, which Grant funds are in the amount of \$262,800 Commonwealth of KY. funds, are for the operation of a 40 bed Substance Abuse Recovery Program at the Fayette County Detention Center for FY21 and FY22, 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 the Mayor, on behalf of the Urban County Government, to execute Agreements with Blue Grass Boy Scout Council (\$560.00), Stonewall Equestrian Organization, Inc. (\$668.75), and LexArts, Inc. (\$500.00) for the Office of the Urban County Council, at a cost not to exceed the sum stated.

A Resolution ratifying the Permanent Classified Civil Service Appointments of: William Housh, Mailroom Clerk, Grade 508N, \$15.734 hourly in the Dept. of General Services, effective April 14, 2020, Garrett Ogden, Heavy Equipment Technician, Grade 518N, \$21.760 hourly in the Div. of Facilities and Fleet Management, effective April 14, 2020, and Kenny Priddy, Heavy Equipment Technician, Grade 518N, \$23.246 hourly in the Div. of Facilities and Fleet Management, effective April 28, 2020.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. 5 to the Agreement with AECOM Technical Services, Inc., d/b/a AECOM, for additional professional program management services related to the Town Branch Commons Project, increasing the Contract price by the sum of \$11,850.00 from \$3,336,991.50 to \$3,348,841.50.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Aylesford Place Association (\$9,000) for the Office of the Urban County Council, at a cost not to exceed the sum stated.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding and Cost Reimbursement Agreement with Federal Bureau of Investigation, Joint Terrorism Task Force (JTTF), for formalizing the relationship between the FBI and the Lexington Police Dept. (LPD), in order to maximize cooperation and create a cohesive unit and to delineate the responsibilities and commitment of the FBIJTTF and LPD.

A Resolution ratifying, on behalf of the Urban County Government, the Mayor's previous execution of an Agreement with Crestline Hotels and Resorts, LLC d/b/a Residence Inn South, as agent for HIT Portfolio I MISC TRS, LLC, for temporary occupancy by first responders affected by COVID-19, at a cost not to exceed \$10,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with U.S. Geological Survey for the continuing and ongoing maintenance and operation of existing stream flow and precipitation gauges for the period July 1, 2020 through June 30, 2021, at a cost not to exceed \$118,450, subject to sufficient funds being appropriated (FY2021).

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to approve and adopt Substantial Amendments to the 2019 Annual Action Plan and to accept \$1,427,971 in Federal Community Block Development Grant funds and \$710,986 in Federal Emergency Solutions Grant Funds from the U.S. Dept. of Housing and Urban Development under the Coronavirus Aid, Relief and Economic Security Act (Cares Act) for response to COVID-19, at no additional cost to the Urban County Government, and to amend the Urban County Government's Citizen Participation Plan to allow for virtual public hearings and a reduced public comment period during a global pandemic or other disaster.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement (awarded pursuant to RFP No. 8-2020) with Tetra Tech, Inc., for Annual Program Management Services for Consent Decree Implementation and MS4 Permit Compliance, at a cost not to exceed \$816,000.

A Resolution approving the Granting of a local occupational license fee payroll tax rebate to Baptist Healthcare Systems, Inc., and/or its approved subsidiaries or affiliates, whereby the Lexington Fayette Urban County Government agrees to rebate 1.25% of collected defined wages related to certain jobs created as part of Baptist Healthcare's Hamburg Project in Fayette County for a period of five years from the activation date, and 1.125% for an additional period of fifteen years, along with other consideration Granted to each party, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement and any other necessary documents with Baptist Healthcare Systems, Inc., related to the project. Ms. Mossotti spoke in opposition.

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The following Communications from the Mayor were received for information only: (1) Probationary Classified Civil Service Appointment of Greg Lubeck, Deputy Director WQ, Grade 531E, \$4,103.20 biweekly in the Div. of Water Quality, effective March 30, 2020; (2) Probationary Classified Civil Service Appointment of Christopher Dove, Pump Station Supervisor, Grade 519E, \$2,284.88 biweekly in the Div. of Water Quality, effective March 30, 2020; (3) Probationary Classified Civil Service Appointment New Hire of Lori Flaherty, Financial Coordinator, Grade 516N, \$20.148 hourly in the Div. of Grants and Special Programs, effective May 11, 2020; (4) Unclassified Civil Service Appointment to the Office of the Urban County Council of Jennifer Sutton, Aide to Council, Grade 518E, \$2,307.69 biweekly in the Office of the Urban County Council, effective May 18, 2020; (5) Resignation of Melissa Murphy, Attorney Sr., Grade 528E, in the Dept. of Law, effective April 24, 2020; and, (6) Resignation of Lucas Miller, Police Officer, Grade 311N, in the Div. of Police, effective April 13, 2020.

Mayor Gorton acknowledged the resignation of Melissa Murphy, Dept. of Law, and congratulated her on being appointed Fayette County District Judge.

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Mayor Gorton welcomed Commander Chris Schnelle and congratulated him for being the first presenter at a virtual meeting of the Urban County Council.

Commander Schnelle, Div. of Police, presented a disciplinary matter regarding Officer Bryton Turley. It is alleged that Officer Turley has committed the offense of Misconduct in violation of KRS 95.450 and General Order 1973-02J, Disciplinary Procedures, Appendix B, Operational Rule 1.02-Misconduct in that on the 10 day of April 2020, he allegedly:

On April 10, 2020, a member of the public reported that a uniformed Lexington Police Officer behaved inappropriately and unprofessionally while on duty. The Officer was identified as Officer Bryton Turley.

On April 11, 2020, Lt. Tuttle interviewed Officer Turley concerning the allegations. Officer Turley stated that he behaved inappropriately and unprofessionally. Officer Turley stated this took place while at work and in uniform.

The appropriate punishment for this conduct is Six (6) month suspension without Pay and Mandatory Employee Assistance Program (EAP).

Upon motion by Ms. Bledsoe, seconded by Ms. Plomin and approved by unanimous vote, the disciplinary recommendation was approved.

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Vice Mayor Kay noted that a public commenter who had wanted to speak to the Budget was unable to join the meeting during the public hearing, and inquired if a motion needed to be made to allow his comment to be heard. Mayor Gorton responded, and clarified that Public Comment on the docket allows for comments pertaining to all matters, and that the commenter may respond after Council Reports without issue.

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Mr. J. Brown recognized and thanked crew members who have been working on the Legacy Trail on 4th St., throughout the city shutdown. He also congratulated Melissa Murphy and offered well wishes.

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Ms. Reynolds shared Covid-19 demographic statistics among Hispanics in Fayette County, as provided from the Lexington-Fayette Health Department. She explained that the rise of Covid-19 cases in Hispanics was due, in part, to 9 additional cases in Hispanic inmates housed in the Federal Medical Center, which currently has 69 total cases, and not due to an increase in cases among the general public. Ms. Reynolds encouraged everyone to stay informed on local statistics by going to the Health Department's website at www.lfchd.org. Mayor Gorton stated the Federal Medical Center would soon be testing all of their employees.

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Ms. Plomin requested to the change her vote on Resolutions - Second Reading from Yes to all to No on item numbers 2 and 3.

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Ms. Evans stated that she wanted to provide some context in regards to an email she had sent earlier to Councilmembers about the Homelessness Prevention and Intervention Board, the Continuum of Care Board as well as the members of those boards. She explained that the non-profit organizations and social services providers listed in the

letter that were affected the ESR Grant, consisted of nearly all of the non-profit and social services community in Lexington. Ms. Evans also let the Council know that any questions could be addressed to her or Ms. Plomin.

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Neil Chethik, Arcadia Park, spoke on behalf of the Carnegie Center for Literacy and Learning, and shared the concerns of Linda Blackwell that many non-profit organizations and social services providers could permanently close as a result of losing the ESR Grant funding. He voiced appreciation for the immediate focus on providing food and shelter, but cautioned about the potential increase in achievement gap when students return to school in the fall. Mr. Chethik spoke of the many hurdles the Carnegie Center's students face typically, such as a lack of access to computers, Wi-Fi and/or textbooks. Mr. Chethik spoke in support of Vice Mayor Kay's proposal on taxes, and requested the Mayor and Council consider using \$2 million of the Rainy Day Fund to fund the ESR Grant. He lauded the Mayor and Council for fostering a sense of comradery during this unprecedented time.

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Upon motion by Ms. Plomin, seconded by Vice Mayor Kay, and approved by unanimous vote, the meeting adjourned at 7:10 p.m.

Deputy Clerk of the Urban County Council