

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky January 14, 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 January 14, 2021 at 6:03 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the council: Lamb, LeGris, McCurn, Moloney, Plomin, Reynolds, Sheehan, Worley, Baxter, Bledsoe, J. Brown, Ellinger, Kay, and Kloiber. Absent was Council Member F. Brown.

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

Ordinances No. 113-2020 through 126-2020, inclusive, and Resolutions No. 597-2020 through 631-2020, inclusive, were reported as having been signed and published and ordered to record.

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The Invocation was given by Councilmember David Kloiber.

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Upon motion by Mr. Ellinger, seconded by Ms. Reynolds, and approved by unanimous vote, the Minutes of the December 3, 2020 Council Meeting were approved.

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

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

Nay: -----0

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to provide funds for renovations at the Tate Building related to the Div. of Water Quality, and appropriating and re-appropriating funds, Schedule No. 29.

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to reflect current requirements for funds in the amount of \$14,870 to provide funds for Council Projects in the Div. of Facilities and Fleet Management for repairs to the Carnegie Center and appropriating and re-appropriating funds, Schedule No. 31.

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The following ordinances received first reading and were ordered to be placed on file for public inspection until January 28, 2021:

An Ordinance changing the zone from an Agricultural Urban (A-U) zone to a Neighborhood Business (B-1) zone, for 0.241 net (0.759 gross) acre, and from an Agricultural Urban (A-U) zone to a Townhouse Residential (R-1T) zone, for 0.002 net (0.019 gross) acre, for property located at 4235 Harrodsburg Rd. (a portion of). (JN Harrodsburg, LLC.; Council District 10).

An Ordinance changing the zone from an Agricultural Urban (A-U) Zone to a Light Industrial (I-1) zone, for 45.08 net (46.74 gross) acres, for property located at 1180 Newtown Pike. (Exeter Newtown Land, LLC; Council District 1).

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. 30.

An Ordinance amending Ordinance No. 57-2020, to extend Classified Civil Service employees' vacation leave balance carryover date from December 31, 2021 to December 31, 2022.

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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: Matthew Matteola, Heavy Equipment Mechanic - Apprentice, Grade 511N, \$16.199 hourly in the Div. of Facilities and Fleet Management, effective upon passage of Council; and authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Community Corrections Officer Appointments: Angeliena Harrison, Desiree Gardner, Adele Mondelli, Gregory Love, Lauren Jones, Ralph Mullett, Daniel McJunkin, Trevion McFarland, Trevon Runyon, Breanna Barkley, Chris Holloway, and Zachary Jones, all

Community Corrections Officer Recruit, Grade 109N, \$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 Ms. Bledsoe, and approved by majority vote (Mr. Moloney did not vote), the rules were suspended and the resolution received second reading.

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

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

Nay: -----0

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from the Citizens Police Academy Alumni Association of a Ford Van and generator, for use at the Div. of Police, at no cost to the Urban County Government 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 Mr. Ellinger, and seconded by Mr. McCurn, the resolution was approved by the following vote:

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

Nay: -----0

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The following resolutions received first reading and were ordered to be placed on file for public inspection until January 28, 2021:

A Resolution accepting the bid of Commercial Services, Inc. d/b/a Image 360, establishing a price contract for Vinyl Graphic Signs, for the Div. of Waste Management.

A Resolution accepting the bids of National Workwear and Valet Press, LLC, establishing price contracts for Uniforms for the Div. of Waste Management.

A Resolution accepting the bid of Staples Business Advantage and Office Depot, establishing price contracts for Office Supplies, for the Div. of Central Purchasing.

A Resolution accepting the bid of Harrod Concrete & Stone Co., Inc., establishing a price contract for Wet Mix Concrete, for the Div. of Streets and Roads.

A Resolution accepting the bid of Wildcat Window Tinting & Spray In Bed Liners, establishing a price contract for Vehicle Undercoating and Rustproofing, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bids of Advance Stores Co., Inc.; I.B. Moore Co., LLC; Truckpro, LLC; and Wastebuilt Environmental Solutions, LLC, establishing price contracts for Hydraulic Hose Fittings, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of C.W. Nielsen Manufacturing Corp., establishing a price contract for Police Badges, for the Div. of Police.

A Resolution accepting the bid of Hydromax USA, LLC, in the amount of \$275,340, for Temporary Flow Monitoring, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Hydromax USA, related to the bid.

A Resolution accepting the bid of E.C. Matthews Co., Inc., in the amount of \$29,831, for the West Hickman WWTP Stair Replacement Project, for the Div. of Water Quality, 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.

A Resolution accepting the bids of Davis H. Elliot Construction Co., Inc.; AE Electrical Solutions; Arrow Electric Co.; and Premier Power Maintenance, establishing price contracts for High Voltage Electrical Maintenance and Repair, for the Div. of Water Quality.

A Resolution accepting the bids of Davis H. Elliot Construction co., Inc.; AE Electrical Solutions; Arrow Electric Co.; and Faust Electric, LLC, establishing price contracts for Low Voltage Electrical Maintenance and Repair, for the Div. of Water Quality.

A Resolution ratifying the Probationary Classified Civil Service Appointments of: Erica Williams, Payroll Analyst, Grade 520N, \$24.910 hourly in the Div. of Accounting, effective January 6, 2021, and Tracy Ballard, Equipment Operator Sr., Grade 512N, \$17.753 hourly in the Div. of Streets and Roads, effective November 11, 2020; and ratifying the Permanent Sworn Appointments of: Darin Salyer, Police Lieutenant, Grade

317E, \$3,346.89 biweekly in the Div. of Police, effective October 27, 2020, Nicholas Whitcomb, Police Sergeant, Grade 315N, \$32.408 hourly in the Div. of Police, effective October 27, 2020, and Travis Overton, Police Sergeant, Grade 315N, \$32.408 hourly in the Div. of Police, effective December 1, 2020.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Compass Group, d/b/a/ Canteen, for vending services at the Public Safety Operations Center, at no cost to the government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Service Order Contract and Commercial Terms of Service with Charter Communications Operating, LLC on behalf of Spectrum, for upgrade to Fiber Internet and Ethernet Services, at a cost not to exceed \$1999 per month.

A Resolution changing the property street names of 821 Campbell Ln. to 823 Campbell Ln., 3319 Grasmere Dr. to 3327 Grasmere Dr., 5700 Sulphur Well Rd. to 5650 Sulfur Well Rd., and changing the street name and property address number of 2701 Leestown Rd. to 101 Leesway Dr., all effective thirty (30) days from passage.

A Resolution authorizing and directing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-46, to designate Southbound Kentucky Ave. at Central Ave. as being prohibited to through trucks due to the sharp right turn onto E. High St. and authorizing and directing the Div. of Traffic Engineering to install proper and appropriate signs in accordance with the designation at a cost not to exceed \$200.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation in the amount of \$125,000 from Phil and Mary Greer through the Friends of the Dog Park, Inc., for the construction of a dog park, at Veterans Park, 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 donation in the amount of \$29,135 from the Creech Family Foundation, Inc., for the purchase of handicap accessible play feature to be added to Charles Young Park playground, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an amendment to the Contract with Meridian Management

Corporation, for Facility Management Services for the Fayette County Courthouses, to reflect the CPI cost increase for the Contract, at a cost not to exceed \$403,484.60.

A Resolution authorizing the Div. of E911 to purchase Telephone Technology from Kraus Associates, Inc. d/b/a AK Associates, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Kraus Associates, related to the procurement.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept \$35,122 in Federal funds under the CARES Act from the Ky. State Board of Elections, for the purpose of offsetting expenses incurred by the Fayette County Clerk's Office during the 2020 general election as a result of the COVID-19 Pandemic, 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 Div. of Water Quality, on behalf of the Urban County Government, to purchase Supervisory Control and Data Acquisition (SCADA) Citect/Historian Support Services for the Town Branch and West Hickman Waste Water Treatment Plants and pump stations, from Advantage Industrial Automation, Inc., a sole source provider, at a cost not to exceed \$44,880.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 4 (Final) to the Agreement with Lagco, Inc., for the Manchester St. and Willard St. Sanitary Sewer Improvements Project, decreasing the Contract price by the sum of \$84,547.11, from \$2,333,266.21 to \$2,248,719.10.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with Todd Johnson Contracting, Inc., for the Jimmie Campbell Bridge Project, increasing the Contract price by the sum of \$33,977.85, from \$257,113.69 to \$291,091.54, and extending the date of completion by 30 calendar days, to December 29, 2020.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Education) Incentive Grant to Lexington Center Corporation, 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 Change Order No. 3 to the Agreement with ALL4, LLC, for the audit of the Waste Water Treatment Plant Safety Program and Post Audit Implementation Services Project, increasing the Contract price by the sum of \$218,551.00, from \$762,311.25 to \$980,862.25.

A Resolution authorizing the Div. of Water Quality, on behalf of the Urban County Government, to purchase services relating to the cleaning and repair of the Emergency Vapor Scrubber System at the West Hickman and Town Branch Waste Water Treatment Plants, from Evoqua Water Technologies, LLC, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Evoqua Water Technologies, LLC, related to the procurement, at a cost estimated not to exceed \$80,673.12.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute amended Flexible Spending Benefits Plan with Chard, Snyder & Associates, Inc., 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 a Test Security Agreement between Ergometrics, Inc. for testing applicants applying for Community Corrections Sergeant promotional processes, at a cost not to exceed \$3,200.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an amendment to the Flexible Spending Benefits Plan with Chard, Snyder & Associates, Inc. in order to comply with the CARES Act of 2020, effective upon passage of Council.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, pursuant to the Jobs Fund Program, to execute a ten (10) year Forgivable Incentive Agreement and related documents with Child Neurology Education and Research Foundation Corporation, in an amount not to exceed \$100,000, for the creation and retention of at least two (2) new jobs with an average hourly wage of at least \$31.00, exclusive of benefits.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Data Use Agreement with Research Triangle Institute International, for participation in assessments for investigating and prosecuting sexual assault cases, at no cost to the government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2 to the Consultant Services Agreement with EOP Architects for Design Services of the Government Center Building Envelope Improvements, increasing the Contract amount by the sum of \$12,866.00, from \$102,712.14 to \$115,578.14.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 3 to the Agreement with Structural Systems Repair Group, for the Government Center Building Envelope Improvements, increasing the Contract price by the sum of \$10,784.15, for a new Contract price of \$703,167.03, and adding an additional seven (7) calendar days to the schedule.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from Drug Free Lex, which Grant funds are in the amount of \$1,976.75, in order to provide a recovery program for offenders at the Div. of Community Corrections, 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 Change Order No. Two (2) to the Agreement with Integrated Engineering, PLLC, for design services of Meadows/Northland/Arlington Public Improvements Project, Phases 6B1 and 6B2, increasing the Contract price by the sum of \$9,503 and raising the total Contract price from \$351,320 to \$360,820.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to an Agreement with AIDS Volunteers, Inc., extending the period of performance through December 31, 2021, for the operation of a tenant based rental assistance program.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to an Agreement with the Fayette County Local

Development Corporation, extending the period of performance through December 31, 2021, to complete all acquisition and construction activities.

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 Pace Contracting, LLC, for the Town Branch Commons Corridor Construction Project, Zone 2, increasing the Contract price by the sum of \$161,290.82, changing the total Contract price from \$20,193,934.98 to \$20,355,225.80.

A Resolution establishing Advanced Eco Systems, Inc., as a sole source provider for the Zumro Decontamination System for the Div. of Emergency Management, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreements with Advanced Eco Systems, Inc., related to the procurement of this Zumro Decontamination System, at a cost not to exceed \$72,073.13.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement with Elevation Leadership, LLC, to provide Vaccine Distribution Management Services, at a cost not to exceed \$29,000 plus travel and expenses, contingent upon the approval of a pending budget amendment.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Office of Homeland Security to accept additional Grant funds, which Grant funds are in the amount of \$4,863.44 in Federal funds under the 2018 State Homeland Security Grant Program, for the purchase of an unmanned aircraft system for the Div. of Police, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept an award of an additional \$151,970 in Federal funds from the Ky. Cabinet for Health and Family Services, Dept. for Community Based Services, to support child care expenses in the Extended School Program in the Div. of Parks and Recreation, 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 ratifying, on behalf of the Urban County Government, the Mayor's acceptance of a direct allocation of Federal Grant funds from the United States Treasury under the Coronavirus Response and Relief Supplemental Appropriations Act, which Grant funds are up to \$25,000,000 in Federal funds, and are 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.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Seedleaf, Inc. (\$300), for the Office of the Urban County Council, at a cost not to exceed the sum stated.

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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 Jordan Parker to the Affordable Housing Governing Board with a term expiring October 23, 2024; (2) Recommending the reappointment of Jeremy Brann to the Arboretum Advisory Board with a term expiring January 1, 2025; (3) Recommending the reappointment of Abigail Allan, Council Clerk, John Maxwell, Dir. of Human Resources, and the appointment of Erin Hensley, Comm. of Finance, all ex officio members, to the City Employees' Pension Fund Board; (4) Recommending the reappointment of Janet Scheeline, Specific Disabilities Representative, to the Commission for People with Disabilities with a term expiring January 1, 2025; (5) Recommending the reappointment of Victoria Carling, Private Equity/Venture Capital Industry Representative, to the Economic Development Investment Board with a term expiring March 5, 2025; (6) Recommending the reappointment of Trisha Hayes, Audit Professional, to the Internal Audit Board with a term expiring December 31, 2024; (7) Recommending the reappointment of James Inman to the Library Board of Advisors with a term expiring January 1, 2025; (8) Recommending the appointment of Henry Watson, Fayette County Board Appointment Recommendation, to the Paris Pike Corridor Commission with a term TBD upon board appointment; and, (9) Recommending the reappointment of Margaret McCoskey to the Senior Services Commission with a term expiring September 1, 2024.

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Mr. Ellinger inquired if the list was a result of the process implemented by the Council via Resolution 591-2020. Mayor Gorton confirmed that the extensive list of names under Communications from the Mayor (for information only) was a result of that process. She noted that the process was very successful as it allowed the Div. of Human Resources to continue the hiring process without delay during the Council's winter break. Mr. Ellinger agreed that the process appeared to have worked well.

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

- (1) Probationary Classified Civil Service Appointment of Tammy Switzer, Administrative Specialist Principal, Grade 518E, \$1,740.80 biweekly in the Div. of Revenue, effective January 18, 2021;
- (2) Probationary Classified Civil Service Appointment of Erin Dixon, Public Service Supervisor, Grade 514N, \$17.902 hourly in the Div. of Streets and Roads, effective January 18, 2021;
- (3) Probationary Classified Civil Service Appointment of Kenneth Newby, Engineering Technician Principal, Grade 518N, \$27.449 hourly in the Div. of Water Quality, effective January 4, 2021;
- (4) Probationary Classified Civil Service Appointment of Frank Parnass, Engineering Technician Principal, Grade 518N, \$23.894 hourly in the Div. of Water Quality, effective December 7, 2020;
- (5) Probationary Classified Civil Service Appointment of Toby Mundy, Resource Recovery Operator, Grade 513N, \$17.049 hourly in the Div. of Waste Management, effective December 21, 2020;
- (6) Probationary Classified Civil Service Appointment of Quinton Dixon, Resource Recovery Operator, Grade 513N, \$17.049 hourly in the Div. of Waste Management, effective December 21, 2020;
- (7) Probationary Classified Civil Service Appointment of Cameron Kennedy, Resource Recovery Operator, Grade 513N, \$17.372 hourly in the Div. of Waste Management, effective December 21, 2020;
- (8) Probationary Classified Civil Service Appointment of Anthony Kelly, Parks and Recreation Superintendent, Grade 525E, \$3,127.12 biweekly in the Div. of Parks and Recreation, effective January 4, 2021;
- (9) Probationary Classified Civil Service New Hire of Tara Chenault, Clerical Assistant Sr., Grade 507N, \$13.603 hourly in the Div. of Accounting, effective January 4, 2021;
- (10) Probationary Classified Civil Service New Hire of Kyle Spivey, Public Service Worker Sr., Grade 509N, \$14.144 hourly in the Div. of Streets and Roads, effective January 4, 2021;

(11) Probationary Classified Civil Service New Hire of Tobias Carter, Resource Recovery Operator, Grade 513N, \$18.245 hourly in the Div. of Waste Management, effective December 21, 2020; (12) Probationary Classified Civil Service New Hire of Robert Wigginton, Resource Recovery Operator, Grade 513N, \$17.958 hourly in the Div. of Waste Management, effective December 21, 2020; (13) Probationary Classified Civil Service New Hire of Keaira Pennie, Public Service Worker, Grade 507N, \$12.882 hourly in the Div. of Waste Management, effective January 19, 2021; (14) Probationary Classified Civil Service New Hire of Tyrone Simpson, Public Service Worker, Grade 507N, \$12.776 hourly in the Div. of Waste Management, effective January 19, 2021; (15) Probationary Classified Civil Service New Hire of Timothy Sturgis, Public Service Worker, Grade 507N, \$12.755 hourly in the Div. of Waste Management, effective January 19, 2021; (16) Probationary Classified Civil Service New Hire of Salihah Muhammad, Public Service Worker, Grade 507N, \$13.008 hourly in the Div. of Waste Management, effective January 11, 2021; (17) Probationary Classified Civil Service New Hire of Kenneth Berry, Public Service Worker, Grade 507N, \$13.539 hourly in the Div. of Waste Management, effective January 19, 2021; (18) Probationary Classified Civil Service New Hire of Sarah Childers, Telecommunicator Sr., Grade 517N, \$21.968 hourly in the Div. of Enhanced 911, effective January 19, 2021; (19) Probationary Classified Civil Service New Hire of Rebecca Lay, Telecommunicator Sr., Grade 517N, \$20.879 hourly in the Div. of Enhanced 911, effective February 1, 2021; (20) Probationary Classified Civil Service New Hire of Nedim Prasovic, Skilled Trades Worker Sr., Grade 517N, \$25.000 hourly in the Div. of Facilities and Fleet Management, effective January 19, 2021; (21) Probationary Classified Civil Service New Hire of Samuel Niehaus, Public Service Worker Sr., Grade 509N, \$14.787 hourly in the Div. of Parks and Recreation, effective January 19, 2021; (22) Probationary Classified Civil Service New Hire of Christopher Poehner, Recreation Manager, Grade 518E, \$1,838.72 biweekly in the Division of Parks and Recreation, effective January 19, 2021; (23) Probationary Community Corrections Officer Appointment of Caitlyn Cairel, Community Corrections Officer Recruit, Grade 109N, \$15.384 hourly in the Div. of Community Corrections, December 21, 2020; (24) Probationary Community Corrections Officer Appointment of J'Maurion Dunn, Community Corrections Officer Recruit, Grade 109N, \$15.384 hourly in the Div. of Community

Corrections, December 21, 2020; (25) Probationary Community Corrections Officer Appointment of Sean McIntosh, Community Corrections Officer Recruit, Grade 109N, \$15.384 hourly in the Div. of Community Corrections, December 23, 2020; (26) Probationary Sworn Appointment of Courtney Spencer, Corrections Captain, Grade 115E, \$2,761.00 biweekly in the Div. of Community Corrections, effective January 4, 2021; (27) Probationary Sworn Appointment of Teresa Franklin, Corrections Lieutenant, Grade 114E, \$2,289.00 biweekly in the Div. of Community Corrections, effective January 4, 2021; (28) Probationary Sworn Appointment of Jeffery Jackson, Police Lieutenant, Grade 317E, \$3,346.89 biweekly in the Div. of Police, effective January 18, 2021; (29) Probationary Sworn Appointment of Larry Kinnard, Police Lieutenant, Grade 317E, \$3,346.89 biweekly in the Div. of Police, effective January 18, 2021; (30) Probationary Sworn Appointment of Randall Combs, Police Lieutenant, Grade 317E, \$3,346.89 biweekly in the Div. of Police, effective January 18, 2021; (31) Probationary Sworn Appointment of Joseph Baker, Police Sergeant, Grade 315N, \$32.408 hourly in the Div. of Police, effective January 18, 2021; (32) Probationary Sworn Appointment of Jeffrey Howard, Police Sergeant, Grade 315N, \$32.408 hourly in the Div. of Police, effective January 18, 2021; (33) Probationary Sworn Appointment of Phillip Johnson, Police Sergeant, Grade 315N, \$32.408 hourly in the Div. of Police, effective January 18, 2021; (34) Probationary Sworn Appointment of Robert Sinnott, Police Sergeant, Grade 315N, \$32.408 hourly in the Div. of Police, effective January 18, 2021; (35) Probationary Sworn Appointment of Jason Wells, Fire Chief, Grade 324E, \$6,429.52 biweekly in the Div. of Fire and Emergency Services, effective January 4, 2021; (36) Probationary Sworn Appointment of Gerald Evans, Fire Major, Grade 518E, \$4,075.10 biweekly in the Div. of Fire and Emergency Services, effective January 4, 2021; (37) Probationary Sworn Appointment of Edwin Morgan, Fire Major, Grade 518E, \$4,075.10 biweekly in the Div. of Fire and Emergency Services, effective January 4, 2021; (38) Probationary Sworn Appointment of Derek Roberts, Fire Major, Grade 518E, \$4,075.10 biweekly in the Div. of Fire and Emergency Services, effective January 4, 2021; (39) Probationary Sworn Appointment of Carrie Wilburn, Fire Major, Grade 518E, \$4,075.10 biweekly in the Div. of Fire and Emergency Services, effective January 4, 2021; (40) Probationary Sworn Appointment of Jeremy Cooper, Fire Captain, Grade 516N, \$26.753 hourly in the Div. of

Fire and Emergency Services, effective January 4, 2021; (41) Probationary Sworn Appointment of Daniel Dinsmore, Fire Captain, Grade 516N, \$26.753 hourly in the Div. of Fire and Emergency Services, effective January 4, 2021; (42) Probationary Sworn Appointment of Zachary Ferguson, Fire Captain, Grade 516N, \$26.753 hourly in the Div. of Fire and Emergency Services, effective January 4, 2021; (43) Probationary Sworn Appointment of John Gerardi, Fire Captain, Grade 516N, \$26.753 hourly in the Div. of Fire and Emergency Services, effective January 4, 2021; (44) Probationary Sworn Appointment of Christopher Sutton, Fire Captain, Grade 516N, \$26.753 hourly in the Div. of Fire and Emergency Services, effective January 4, 2021; (45) Probationary Sworn Appointment of Robert Bruin, Fire Lieutenant, Grade 515N, \$20.902 hourly in the Div. of Fire and Emergency Services, effective January 2, 2021; (46) Probationary Sworn Appointment of Mark Burchfield, Fire Lieutenant, Grade 515N, \$20.902 hourly in the Div. of Fire and Emergency Services, effective January 4, 2021; (47) Probationary Sworn Appointment of Andrew Cizek, Fire Lieutenant, Grade 515N, \$20.902 hourly in the Div. of Fire and Emergency Services, effective January 4, 2021; (48) Probationary Sworn Appointment of Benjamin Ishmael, Fire Lieutenant, Grade 515N, \$20.902 hourly in the Div. of Fire and Emergency Services, effective January 4, 2021; (49) Probationary Sworn Appointment of Bruce Lester, Fire Lieutenant, Grade 515N, \$20.902 hourly in the Div. of Fire and Emergency Services, effective January 4, 2021; (50) Probationary Sworn Appointment of Kevin Pletzke, Fire Lieutenant, Grade 515N, \$20.902 hourly in the Div. of Fire and Emergency Services, effective January 4, 2021; (51) Probationary Sworn Appointment of Benjamin Runnels, Fire Lieutenant, Grade 515N, \$20.902 hourly in the Div. of Fire and Emergency Services, effective January 4, 2021; (52) Probationary Sworn Appointment of Nathan Thayer, Fire Lieutenant, Grade 515N, \$20.902 hourly in the Div. of Fire and Emergency Services, effective January 4, 2021; (53) Unclassified Civil Service Appointment of Billy Prater, Construction Supervisor, Grade 524E, \$2,826.16 biweekly in the Div. of Water Quality, effective, December 7, 2020; (54) Unclassified Civil Service New Hire of Jamar Huffman, Public Service Worker, Grade 507N, \$12.723 hourly in the Div. of Waste Management, effective January 19, 2021; (55) Unclassified Civil Service New Hire of Aaron Miller, Public Service Worker, Grade 507N, \$12.723 hourly in the Div. of Waste Management, effective January 19, 2021; (56) Unclassified Civil Service New

Hire of Curtis Crume, Public Service Worker, Grade 507N, \$12.723 hourly in the Div. of Waste Management, effective January 19, 2021; (57) Classified Civil Service Temporary Appointment of Erin Dixon, Public Service Supervisor, Grade 514N, \$17.902 hourly in the Div. of Streets and Roads, effective January 1, 2021; (58) Resignation of Jabari Jones, Corrections Officer, Div. of Community Corrections, effective December 3, 2020; (59) Resignation of Desmond Duncan, Corrections Officer, Div. of Community Corrections, effective December 19, 2020; (60) Resignation of Steven Mohr, Firefighter, Div. of Fire and Emergency Services, effective December 5, 2020; (61) Resignation of Charity Russell, Telecommunicator, Div. of Enhanced 911, effective December 11, 2020; (62) Resignation of Emily Charlton, Security Officer, Dept. of Public Safety, effective December 25, 2020; and, (63) Sworn Reinstatement of Michael Watts, Police Officer, Grade 311N, \$24.540 hourly in the Div. of Police, effective February 1, 2021.

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Mr. Worley departed the meeting at 6:30 p.m.

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Chief Lawrence Weathers, Div. of Police, presented a disciplinary matter regarding Officer Brandon Holbrook. An allegation has been made that Holbrook has committed the offense of Violating Any Rules of the Department – Emergency and Pursuit Driving which constitutes misconduct under the provisions of KRS 95.450 and/or KRS 15.20 and General Order 1973-02K, Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.35 Violating Any Rules of the Department, General Order 2011-08F Emergency and Pursuit Driving in that on the 17 day(s) of October 2020, he allegedly:

On October 17<sup>th</sup>, 2020, at approximately 0542, Officer Brandon Holbrook, while running stationary radar on the inner loop of New Circle Rd at Alumni Drive, observed a vehicle approaching his location at a high rate of speed. Officer Holbrook, while attempting to catch up to the suspect vehicle, operated his patrol vehicle without his emergency equipment activated, reaching speeds of up to 125 mph. Officer Holbrook did not notify E911 that he was initiating, or involved in, a pursuit of the suspect vehicle until after it was involved in a single-vehicle collision.

When Officer Holbrook began pursuing the suspect vehicle, the only known offenses were traffic violations (speeding/reckless driving).

Officer Holbrook has been employed with the Lexington Police Department for 3 years and this is his first formal complaint.

The appropriate punishment for this conduct is Forty (40) hours Suspension without Pay, upon return to duty sixty (60) days suspension of Home Fleet.

Upon motion by Mr. Ellinger, seconded by Mr. McCurn and approved by majority vote (Mr. Worley was absent), the disciplinary recommendation was approved.

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Chief Weathers, Div. of Police, presented a disciplinary matter regarding Officer Bobby Hoskins. An allegation has been made that Officer Hoskins has committed the offense of Violating Any Rules of the Department – Emergency and Pursuit Driving which constitutes misconduct under the provisions of KRS 95.450 and/or KRS 15.20 and General Order 1973-02K, Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.35 Violating Any Rules of the Department, General Order 2011-08F Emergency and Pursuit Driving in that on the 10th day(s) of October 2020, he allegedly:

On Saturday, October 10, 2020 Officer Hoskins 57487 initiated a vehicle pursuit while he was operating the patrol wagon at West High Street and Oliver Lewis Way. The vehicle being pursued was an ATV; suspected to be recently stolen and not road-worthy and being operated by two juvenile male subjects. The basis for the pursuit was not within department policy, causing undo danger to the participants and citizens in the area.

During the pursuit, Officer Hoskins leaves the roadway twice while chasing the suspects, driving the wagon through a grassy field located at the corner of West High Street and Oliver Lewis Way. At one point during the pursuit, Officer Hoskins re-enters the roadway via the oncoming lanes of Oliver Lewis Way, against on-coming traffic.

This is Officer Hoskins first formal complaint since being employed in 2019. He understands his actions were against policy and has accepted full responsibility.

The appropriate punishment for this conduct is Forty (40) hours Suspension without Pay, upon return to duty thirty (30) days suspension of Home Fleet.

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

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Chief Weathers, Div. of Police, presented a disciplinary matter regarding Officer Robert McCullough. An allegation has been made that Officer McCullough has committed the offense of Violating Any Rules of the Department – Emergency and Pursuit Driving which constitutes misconduct under the provisions of KRS 95.450 and/or KRS 15.20 and General Order 1973-02K, Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.35 Violating Any Rules of the Department, General Order 2011-08F Emergency and Pursuit Driving in that on the 10 day(s) of October 2020, he allegedly:

On Saturday October 10, 2020 Officer McCullough #53679 responded from Red Mile Road to the area of Versailles Road/Oliver Lewis Way to assist in a vehicle pursuit initiated by Officer Bobby Hoskins. While responding to, and clearing an intersection in an emergency capacity, he violated G.O. 2011-08F by traveling with his cruiser's emergency lights activated, but not his siren. He then pulled in front of the suspect's vehicle and slowed down, in an attempt to box in the vehicle and stop the continued pursuit.

Officer McCullough has been employed with the Lexington Police Department for 5 years and this is his first formal complaint.

The appropriate punishment for this conduct is Forty (40) hours Suspension without Pay, and upon return to duty thirty (30) days suspension of Home Fleet.

Upon motion by Mr. J. Brown, seconded by Mr. McCurn and approved by majority vote (Mr. Worley was absent), the disciplinary recommendation was approved.

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Ms. Lamb expressed her appreciation for the years of service being included on the Agreements of Conformity. Chief Weathers responded that he hoped it would help.

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Mr. J. Brown asked if all of the presented disciplines were brought forward by internal complaints. Chief Weathers confirmed they were. Mr. J. Brown pointed out that

they were all vehicle-related in October, and inquired as to why that may be. Chief Weathers explained that some internal complaints may arise during the supervisor's review of body-worn camera footage, and, in that same respect, some disciplinary actions may involve multiple police officers who were involved in the same incident. Mr. J. Brown elaborated that it was important to note that the disciplines were results of internal complaints as well as that they were results of the proper review procedures of body-worn camera footage.

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Chief Jason Wells, Div. of Fire and Emergency Services, presented a disciplinary action regarding Firefighter Justin Yates. An allegation has been made that Firefighter Yates has committed the offense of violation of UDG 1.11 Tardy/Late/AWOL in violation of KRS 95.450 and UDG 1.11 Late/Tardy in that on the 30th of September, 2020, he allegedly failed to report to work on time, thus accumulating his third late in 12 months. The appropriate punishment for this conduct is written reprimand.

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

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Mr. J. Brown congratulated Chief Wells on promotion, noting that this was his first Council Meeting since his new appointment. He reminded everyone about the upcoming Martin Luther King Jr. Day Holiday, as well as the Holiday Freedom March which was scheduled for 10:00 a.m. on Monday, January 18. He noted that the March would start on High Street with parking available at the Central Bank Center parking lot, and advised all participants to dress warmly, wear a mask, and remember to socially distance. He announced that the film would air Monday, January 18 at 12:00 p.m. on the MLK Holiday Committee's YouTube Channel and thanked all of the Holiday Committee for their efforts, specifically recognizing his co-chair, Chester Grundy, who had worked for over forty years organizing the event.

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Mr. Moloney shared a recent situation in which a Lexington resident with poor health had needed some assistance. Mr. Moloney commended Commissioner Chris

Ford, the Dept. of Social Services, Fire Chief Wells, and the Dept. of Fire and Emergency Services, for their dedicated efforts in providing care to this resident.

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Ms. Bledsoe provided an update on the diversion on Clays Mill Rd, between Stone Rd. and Pasadena Rd. and down toward Harrodsburg Rd., which had been in place due to reconstruction. She announced that the diversion had been removed, and that portion of Clays Mill Rd. had been once again made into two lanes, as it had been prior to December 2020. Ms. Bledsoe noted that once the asphalt plant reopens, the road would be repaved.

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Upon motion by Ms. Lamb, seconded by Ms. Plomin, and approved by majority vote (Mr. Worley was absent), the meeting adjourned at 6:42 p.m.

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Deputy Clerk of the Urban County Council