

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky June 18, 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 regular session on June 18, 2020 at 6:28 p.m. Present were Mayor Gorton in the chair presiding and the following members of the council: Moloney, Mossotti, Reynolds, Swanson, Bledsoe, F. Brown, J. Brown, Ellinger, Evans, Farmer, Kay, Lamb, and McCurn. Absent were Council Members Plomin and Worley. (Ms. Plomin was connected to the meeting via audio only, and therefore was not included in quorum pursuant to SB150.)

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

Ordinances No. 49-2020 through 51-2020, inclusive, and Resolutions No. 227-2020 through 261-2020, inclusive, were reported as having been signed and published and ordered to record.

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The Invocation was given by Councilmember Angela Evans.

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Mayor Gorton announced that the LFUCG Dept. of Information Technology, Dept. of Law, and LexTV were working to create a solution to better manage public comments at future virtual meetings, in response to the voluminous, vulgar prank calls received during the June 17th Committee of the Whole (C.O.W.): Public Comment. She then noted there were three people signed up for public comment and requested that they email their comments to her and/or their Councilmember.

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Vice Mayor Kay stressed that while the Council did not want to block any legitimate public comments, they did not want to provide an opportunity for a repeat of the inappropriate comments made at the C.O.W. meeting.

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Upon motion by Vice Mayor Kay, seconded by Mr. Farmer and approved by unanimous vote, the rules were suspended and Public Comment was canceled during the June 18, 2020 Council meeting.

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Ms. Lamb spoke in support of the motion.

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

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

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. 52.

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to reflect current requirements for funds in the amount of \$200 to provide funds for Council Projects in the Div. of Streets and Roads to assist with the purchase and installation of a new gate at Brighton Trail and appropriating and re-appropriating funds, Schedule No. 53.

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An Ordinance amending and restating Ordinance No. 42-2020, which pertains to the suspension of certain Ordinances to allow for expanded restaurant and retail business uses, to extend the deadline through September 8, 2020; to include bars; and to include additional definitions and clarifications; effective upon passage of Council received first reading.

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

Upon motion by Ms. Lamb, and seconded by Mr. F. Brown, the ordinance was approved by the following vote:

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

Nay: -----0

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The following ordinance received first reading and was ordered to be placed on file for public inspection until July 7, 2020:

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. 1.

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

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

Nay: -----0

A Resolution accepting the bid of Applegate Inspection Service, establishing a price contract for Asbestos Project Monitoring, for the Div. of Facilities and Fleet Management.

A Resolution ratifying the Permanent Civil Service Appointments of: Benjamin Cotton, Laboratory Technician, Grade 513N, \$17.717 hourly in the Div. of Water Quality, effective May 11, 2020 and Michael Vaught, Fleet Operations Manager, Grade 521E, \$2,515.39 biweekly in the Div. of Facilities and Fleet Management, effective May 25, 2020; and ratifying the Classified Civil Service Council leave of: Kevin Binder, Staff Assistant, Grade 508N, \$18.160 hourly in the Div. of Family Services, effective June 17, 2020 through September 14, 2020.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Dell Financial Services for replacement of current firewalls and software licensing, at a cost not to exceed \$81,249.84 annually.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit the 2020 Consolidated Plan/Grant Application to the United States Dept. of Housing and Urban Development (HUD), to provide any additional information requested in connection with this Grant Application, and to accept the Grant if the application is approved, which Grant funds are in the amount of \$4,781,537 in Federal funds, and are for the FY 2021 Community Development Block Grant (CDBG) Program (\$2,427,420), Home Program (\$1,316,746), and Emergency Solutions Grant (ESG) Program (\$206,186), the acceptance of which obligates the Urban County Government for the expenditure of \$363,065 from various funding sources as a local cash match and \$143,121 as an in kind match; and authorizing the Mayor to execute Agreements for the approved plan; 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 a Site Specific Agreement with the Jessamine South Elkhorn Water District and RBC, LLC, to provide sanitary sewer conveyance and treatment capacity to the reserve at Tates Creek Unit 2 Development in Jessamine County.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2 to the Agreement with Judy Construction Co., for the West Hickman Waste Water Treatment Plant Final Clarifiers No. 7 and No. 8 Improvements Project, increasing the contract price by the sum of \$22,405.00, from \$1,698,735.75 to \$1,721,140.75.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Amendment No. 3B to the Grant Agreement with the Bluegrass Area Development District, Inc., to incorporate a \$92,682.59 increase in federal funding from the CARES Act for the operation of the Senior Citizens Center in FY 2020.

A Resolution authorizing and directing the Dept. of Finance to allocate an amount equal to the initial \$6,400,000 of reimbursement funds received from the Department for Local Government under the Coronavirus Aid, Relief, and Economic Security Act to the Urban County Government's Contingency Designation Fund (Ordinance No. 50-2016) upon receipt of said funds and the taking of any necessary additional Budgetary actions, with any subsequent withdrawal and use requiring further action; and authorizing and

directing the allocation of an amount equal to any additional funds received into the General Fund (Budget Stabilization Reserve), with the Council to discuss potential uses of these reserve funds on at least a quarterly basis.

A Resolution authorizing and directing the Mayor, on behalf of the Lexington Fayette Urban County Government, to execute Purchase of Service Agreements with the Building Institute of Central Ky. (\$50,000); the Community Action Council of Fayette, Bourbon, Harrison, and Nicholas Counties, Inc. (\$50,000); Jubilee Jobs of Lexington, Inc. (\$40,000); Lexington Rescue Mission, Inc. (\$30,000); and Ky. Refugee Ministries, Inc. (\$30,000), to support workforce development, at a cost not to exceed \$200,000 for FY 2021, with renewal subject to each organization's performance and the budgeting of sufficient funds in future fiscal years.

A Resolution authorizing the Mayor, or her designee, on behalf of the Urban County Government, to execute Change Orders under specific conditions with Structural Systems Repair Group, LLC for construction services for the Government Center Envelope Improvements in order to prevent costly time delays for conditions requiring immediate attention.

A Resolution establishing and authorizing a price contract for FY 2021 and FY 2022 with Harp Enterprises, Inc., as a sole source provider of voting machines and any related maintenance, equipment, supplies and services for the Fayette County Clerk's Office, and authorizing the Mayor or her designee, on behalf of the Urban County Government, to execute any necessary price contract(s) with Harp Enterprises, Inc., related to the procurement of these goods and services with payment up to \$92,500 in FY 2021 contingent upon approval of the Budget.

A Resolution approving the Granting of an inducement to Summit Biosciences, Inc., or its successor or affiliate, pursuant to the Ky. Business Investment Act (KRS Subchapter 154.32), whereby the Lexington Fayette Urban County Government agrees to rebate annually one percent (1%) of the Company's Occupational License Fees for a term of no longer than ten (10) years from the activation date, subject to the limitations contained in the Act and any Agreement with the Ky. Economic Development Finance Authority or the Urban County Government related to the project, and taking other related action.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the University of Ky., designating LFUCG as a preferred internship site with Therapeutic Recreation Programs for Music Therapy students.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to Lakeshore Village, Inc., for Stormwater Quality Projects, at a cost not to exceed \$75,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Lease Agreements for residential park caretaker properties with the following individuals for the listed properties in consideration of the sums stated in annual rent: Hollis Harvill for 705 Caden Lane, \$5,100; Everett Hampton for 2075 Parkers Mill Rd., \$3,120; Edmon Chaney for 3401 Shamrock Lane, \$6,300; Anna Wiker-Peacynski for 3990 Raven Run Way, \$4,680; and Fred Williamson for 4051 Richmond Rd., \$3,360.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept \$301,050 in Federal funds under the CARES Act for the support of child care expenses in the Extended School Program of the Div. of Parks and Recreation, the acceptance of which does not obligate the Urban County Government for the expenditure of funds.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept the proposals for FY 2021 for Excess Liability Insurance from, and to execute any necessary Contracts and documents on behalf of the Urban County Government with, the following insurance companies and/or their respective broker Marsh & McLennan Agency: Aviation from Westchester Fire Insurance Co. at a cost not to exceed \$23,655.26; General, Auto, Public Officials, Law Enforcement, Professional, and Excess Liability from Safety National Casualty Corporation at a cost not to exceed \$478,193.17; Property from Affiliated Factory Mutual (FM) at a cost not to exceed \$479,502.00; Cyber from Ace American Insurance Co. at a cost not to exceed \$23,461.93; Pollution from Illinois Union Insurance Co. at a cost not to exceed \$19,614.67; Workers' Compensation from Safety National Casualty Corporation at a cost not to exceed \$380,437.00; the Workers' Compensation Payroll Audit from Safety National Casualty Corporation at a cost not to exceed \$5,000.00; and Parks and Recreation Student Insurance from Marsh &

McLennan at a cost not to exceed \$4,590.00, all subject to sufficient funds being appropriated.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Fourth Amendment to Lease Agreement with Denham Blythe Co., Inc., extending for one (1) year, the term of the lease for office space at 100 Trade Center St., which is used for the Lexington Fayette Urban County Government Wellness Center, at a cost not to exceed \$115,523.08.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Mutual Aid Agreement with Baptist Health Lexington, for EMS Services.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Global Music Rights, LLC for the non-exclusive right to perform publicly, or cause to be performed publicly, compositions licensed by GMR at events wholly or primarily sponsored, promoted or conducted by or under the auspices of LFUCG, at a cost not to exceed \$3,500 per year.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Thomson Reuters for Westlaw on line legal research and publications and Westlaw CLEAR Information Search Services, for the Dept. of Law, at a cost not to exceed \$36,912.01 in FY 2021.

A Resolution condemning racism and injustice; committing to make Lexington Fayette County an inclusive environment and to address policies that do not promote equity and equality; standing steadfast with all citizens of Lexington Fayette County in the fight for racial justice and human rights for all and welcoming input from the community on any necessary policy changes; and authorizing the Mayor and Council to consider implementation of any necessary tools to eliminate racism or ethnic discrimination within Lexington Fayette County.

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Upon motion by Mr. Farmer, seconded by Ms. Mossotti, and approved by unanimous vote, a Resolution establishing Clean Energy Corp. as a sole source provider for the purchase of upgrades to the Compressed Natural Gas Vehicle Fueling Station, for the Div. of Waste Management, and authorizing the Mayor, on behalf of the Urban County

Government, to execute an Agreement with Clean Energy Corp., related to the procurement, at a cost not to exceed \$181,672 received first reading.

Upon motion by Mr. Farmer, seconded by Vice Mayor Kay, and approved by majority vote (Mr. F. Brown voted no), the rules were suspended and the resolution received second reading.

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

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

Nay: -----0

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Contract with Zambelli Fireworks Manufacturing Corporation, for July 4, 2020 Fireworks exhibition, at a cost not to exceed \$20,700 received first reading.

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

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

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

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 R.J. Corman Railroad Co. for the set up and execution of Lexington's 4th of July Fireworks at Railroad's Lexington yard received first reading.

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

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

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

Nay: -----0

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The following resolutions received first reading and were ordered to be placed on file for public inspection until July 7, 2020:

A Resolution accepting the bid of Central Bridge Co., LLC, in the amount of \$2,854,768.01, for the Brighton Rail Trail Bridge, for the Div. of Engineering, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Central Bridge Co., LLC, related to the bid.

A Resolution accepting the bids of ABR Construction, Inc.; Bri Den Roofing (A Tecta America Co.); Pearce Blackburn Roofing; and Tri State Roofing & Sheet Metal Co., establishing price contracts for roofing repairs and maintenance, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bids of Debra Kuempel, Inc., and Disponette Service Co., Inc., establishing price contracts for plumbing services, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Dugan & Meyers, LLC, in the amount of \$9,207,641, for the Town Branch Aeration Improvements, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Dugan & Meyers, LLC, related to the bid.

A Resolution ratifying the Permanent Classified Civil Service Appointments of: Alicia Underwood, Accountant, Grade 516N, \$20.897 hourly in the Div. of Accounting, effective March 3, 2020, James Begley, Traffic Signal Technician Sr., Grade 515N, \$18.797 hourly in the Div. of Traffic Engineering, effective June 2, 2020; ratifying the Classified Civil Service Council leave of: Rudolph Geiger, Vehicle & Equipment Mechanic, Grade 512N, \$21.113 hourly in the Div. of Streets and Roads, effective September 14, 2020; and ratifying the Classified Civil Service Demotion of: Renu Agarwal, Administrative Specialist Sr., Grade 516N, \$22.380 hourly in the Div. of Revenue, effective July 6, 2020.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Just Fund Education Project, Inc., which Grant funds are in the amount of \$5,000, for the purpose of milling and resurfacing the intersection of Limestone and Short Sts. and adding a rainbow design, 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 a Letter of Agreement for Participating Agency with God's Pantry Food Bank, for the Fayette County Pantry Referral Program, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 4 with the Ky. Transportation Cabinet, for the acceptance of additional Federal funds in the amount of \$913,000 for the construction phase of the Brighton Trail Pedestrian Bridge Project, the acceptance of which obligates the Urban County Government for the expenditure of \$182,600 as a local match to be provided by the Ky. Transportation Cabinet through toll credits.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet for the 2018 Project Safe Neighborhood Grant, 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 \$167,394.60 in Federal funds, and are for the purpose of paying overtime and purchasing equipment for targeted enforcement and surveillance in prioritized areas in Fiscal Year 2021, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet for the 2019 Project Safe Neighborhood Grant, 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 \$102,849.30 in Federal funds, and are for the purpose of paying overtime and purchasing equipment for targeted enforcement and surveillance in prioritized areas in fiscal year 2021, 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 for these Grants.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Amendment #2 to the TIGER Agreement with the U.S. Dept. of Transportation to modify the statement of work, schedule and budget for the Town Branch Commons Project.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to the Unitarian Universalist Church of Lexington, Inc., for Stormwater Quality Projects, at a cost not to exceed \$29,236.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to Churchill McGee, LLC, for Stormwater Quality Projects, at a cost not to exceed \$99,860.38.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Grant Award Agreement with Bluegrass Greensource, Inc., for a Stormwater Quality Project, decreasing the Grant Award by the sum of \$19,021.66, from \$27,135.23 to \$8,113.57.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Grant Award Agreement with the University of Ky. Research Foundation (UKRF), for a Stormwater Quality Project, decreasing the Grant award by the sum of \$147.10, from \$35,000.00 to \$34,852.90.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Grant Award Agreement with Friends of Wolf Run, Inc., for a Stormwater Quality Project, decreasing the Grant award by the sum of \$1,874.73, from \$33,500.00 to \$31,625.27.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Grant Award Agreement with the University of Ky. Research Foundation (UKRF), for a Stormwater Quality Project, decreasing the Grant award by the sum of \$92.26, from \$34,954.00 to \$34,861.74.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Release of Easement, releasing a utility easement on the property located at 307 South Broadway.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. State Police Vehicle Enforcement Div., 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 \$85,000 in Federal funds, and are for the continued operation of the Motor Carrier Safety Assistance Program (MCSAP) for FY 2021, the acceptance of which obligates the Urban County Government for the expenditure of \$15,000 as a local match, which will be provided from documentation of existing Div. of Police staff salaries, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

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The following Communications from the Mayor were received for information only: (1) Probationary Classified Civil Service Appointment of Sherry Bullock, Administrative Specialist Sr., Grade 516N, \$23.349 hourly in the Div. of Water Quality, effective July 6, 2020; (2) Probationary Classified Civil Service Appointment New Hire of Erica Williams, Payroll Analyst, Grade 520N, \$24.910 hourly in the Div. of Accounting, effective July 6, 2020; and, (3) Probationary Classified Civil Service Appointment New Hire of Michael Jamison, Technical Specialist, Grade 515N, \$20.990 hourly in the Div. of Police, effective July 20, 2020.

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Ms. Reynolds read the following statement:

Yesterday while hearing public comment in our meeting, things got out of control. Some were saying the meeting should have been shut down; others were saying we needed to hear the hate some people were putting forth in spoken and written comments. It was shocking; horrific. And by the end, several Councilmembers were threatened, including myself. And while I was incredibly shaken by the threats, what honestly bothers me the most is that some members of our community must endure this type of hateful rhetoric on a normal basis, and have their lives threatened. I do not know what it is like to

be Black, and I never will. It is beyond time that those of us who are not Black, listen to those who are. There is an outcry in this nation, and in this city. One that goes beyond police brutality. One that has existed since the beginning of this country. It is one that has been ignored; stuffed; hidden. It is one that isn't taught in history books, and it isn't discussed at church potlucks. Today, and every day, we can sit here and make excuses that racism is not in our country, not in our state, not in our city, and not in our police department: "Out there things are bad, but not in here." We can say that it isn't our experience and that it isn't true, but I believe that doing so would be wrong. Just because we have not been treated the way others have, doesn't make their experiences any less true. Some say that there should be no protests; everything should be neat and pretty. And historically, the primary catalyst for change for every country, has been to take it to the streets, and say, "We have been talking and we have not been heard. We have asked for action and nothing has been done. We are fed up." I am not saying that all police are bad, or that they all do bad things. I greatly value our Lexington Police Department and the officers and police staff that I work with. What I am saying is that I think the system of policing in our country needs major improvement. I believe that police has a role in society and is important but that we need innovation – one that prevents death and discrimination. It needs to be more holistic. I do not know the way forward. It is a complex path. I do not condone violence and the mistreatment of police. I also do not condone mistreatment of my Black and Brown neighbors. I have to ask myself, if I were frequently threatened as I was last night; if my friends and family were killed unfairly; if people of my skin tone were oppressed for hundreds of years; what would I do? I am sure that I would take to the streets. I would ask for reform, and I would livid, to say the least. I sure was last night. Moving forward, I would like to sincerely ask each of my colleagues, Chief Weathers, the FOP, and all of our residents to collaborate for the wellbeing of our entire city, not just for those that share my experience and my appearance. Thank you.

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Mr. F. Brown read the following statement:

I support full accountability, of course, from our Police Department and I'm committed to looking at specific requests as calls by systemic injustice. But we must have law and order and continue to support our local police officers. I believe that we are still

under-staffed and in no way, could, or will I, support defunding of the Police Department budget. I have advocated adding more police officers in the past.

Mr. F. Brown discussed the number of officers on duty and noted that Lexington and Louisville are the only merged city-counties in Kentucky thus providing their own police, while other counties have police coverage via city, county and state police. He spoke of the challenges in providing appropriate coverage across Fayette County, thanked the police for their service and extended a special thank you to police spouses and their children.

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Mr. J. Brown addressed the comments held at the C.O.W. meeting. He stated that while some of the comments were inappropriate and it was unfortunate that the city was unable to prevent the public from hearing those remarks, he also acknowledged that it was important for some people to hear those comments in order to realize that many people hear racial epithets and encounter racism on a daily basis. Mr. J. Brown talked about the resolution passed earlier in the meeting that condemns racism in Lexington. He apologized to his constituents whose comments he did not hear at the C.O.W. meeting and explained that he had left early as he felt uncomfortable continuing the meeting after several Councilmembers were threatened and their personal information was shared. Mr. J. Brown encouraged his constituents to send their comments to him via phone or email. He expressed confidence in Lexington's Police Department but agreed that there were many opportunities to add transparency and potential additional oversight to ensure that actions that have occurred in other cities and communities would not happen here. Mr. J. Brown discussed potential ways in which the Council could explore to improve some policies and procedures, as well as some areas covered by the Collective Bargaining Agreement. He invited everyone to attend the 15th Juneteenth Jubilee Celebration held on June 19, 2020 from 7:00 p.m. to 8:30 p.m. in the African Cemetery No. 2 on E. Seventh St.

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Ms. Lamb addressed the comments made at the C.O.W. meeting and read the following statement:

On a personal and professional level, I condemn the racist and homophobic comments that were made. Our community is much better than that. I ask for prayers in the days to come that we can lead with our hearts and compassion. Our community has good citizens who are inclusive and compassionate and I hope that you will be able to stand with me and all of my colleagues to communicate that we have no tolerance in Lexington for racism or homophobia.

Ms. Lamb spoke in anticipation of the upcoming conversations between Councilmembers and the public. She expressed confidence in the Lexington Police Department and its officers and noted there is always room for improvement. Ms. Lamb reiterated that the racism is not tolerated in the Lexington community.

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Mr. McCurn discussed the importance of the resolution condemning racism, but acknowledged it was only words, and that tangible action should be taken. He clarified that the next step should be a sensible action that represents the police, and the community, and while neither the city, state, nor country were perfect, they all strive for inclusion.

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Ms. Bledsoe motioned to put into the Environmental Quality and Public Works Committee, a review of the efficiency of the hardware and software used for Route/Trip Optimization in the Dept. of Environmental Quality and Public Works. Mr. McCurn seconded and the motion passed by unanimous vote.

Ms. Bledsoe announced the passing of her friend Carol Barr, wife of Kentucky Congressman Andy Barr, and announced that her visitation would be held on Sunday, June 21, from 3 p.m. to 7 p.m. at Christ Church Cathedral, and her funeral service would be held on Monday, June 22, at 11 a.m. at Southland Christian Church on Richmond Rd. She spoke of the impact Ms. Barr had on the community.

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Mr. Moloney offered condolences to Congressman Barr. He acknowledged the good conversations had amongst Council over the past few days. Mr. Moloney spoke of the Mayor's Commission for Racial Justice and Equality and its obligation to be the

catalyst for change in city and police policies, as well as in the community. He asked Mayor Gorton to provide an update on the status of the Commission.

Mayor Gorton responded she would be meeting June 19th with the Commission's co-chairs, Rozlyn Akins and Dr. Gerald Smith, as well as the vice-chairs of the four subcommittees: Equity and Inclusion, Economic/Education, Health Disparities, and Justice and Accountability. She thanked Councilmembers for their interest in serving on the Commission and announced that she has requested the Commission to submit the report of their findings by August 31, 2020 in order to enable her and the Council take swift action. Mayor Gorton quoted Dr. Everett McCorvey's Herald Leader op-ed, "Enough is enough" and stated that now is the time for change.

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Vice Mayor Kay reiterated that the Council condemns all forms of racism, and homophobia in the community and said that the comments made at the C.O.W. meeting were regrettable. He promulgated that the Council was doing all that they could to prevent that from ever occurring again during their meetings. Vice Mayor Kay asserted it was important to understand that there are remnants of racism in the Lexington community, despite some may not believe or realize there is racism present in many held attitudes or behaviors. He acquiesced that as a white man, and having been raised as such, it is hard to be completely objective. Vice Mayor Kay read the following statement:

I see a danger when people might feel they have to choose between the protestors and the police; as if you have to support one or the other; as if supporting one means you are opposing the other. There is a different way to think about the issues that have been raised and how we should respond to them. We can support our police, and at the same time, establish policies and practices that hold them to the highest possible standard. We can support them and call for increased transparency and effective discipline when appropriate. We can support the best work they do while calling out those who violate the rights of our citizens. We cannot ask them to protect us in volatile situations and be unable to protect themselves. And we cannot allow the need to protect themselves to be used as an excuse for discriminatory practices of the excessive use of force. We can support peaceful protests and calls for justice, and at the same time, condemn any forms of violence, intimidation or bullying by protestors or anybody else. We can listen carefully to

the demands they make, and at the same time, make judgments of the virtue of those demands and our ability to meet them. We all share an interest in ensuring that policing, like all other aspects of our community, is fair, effective, and committed to the sanctity of human life and the dignity of each person – that is basic for a great community. We need to take every action that will make that possible. Drawing sharp lines and choosing sides is not necessary in that effort, and ultimately, is not helpful.

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Mr. Farmer offered condolences to Congressman Barr. He suggested it would be appropriate for the Council to take some sort of action in relation to the organized movement and police policy changes before they adjourned for summer break on July 9th and asked Mayor Gorton to weigh in.

Mayor Gorton noted that after meeting with Police Chief Weathers and other officers, she was able to impose a moratorium on the “No Knock” Warrants. She mentioned she would take another action soon, possibly in conjunction with the Council, and that Chief Weathers will be taking his own action in the near future as well. Mayor Gorton reminded the Council that there are also many avenues of change that they can explore across city government, as they are not limited to making change in a single area.

Mr. Farmer remarked that the comments made at the C.O.W. meeting were the most vulgar use of free speech he had ever been a part of. He acceded there is racism and inequality in Lexington, some of which could take years to change. Mr. Farmer addressed directly the commenters who perpetrated the flagitious statements. He opined on their awaiting perdition and besought them to reflect upon their choices.

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Mayor Gorton postulated that the vulgar comments would not have occurred had the meeting been held in Council Chambers.

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Ms. Evans thanked Vice Mayor Kay for re-reading his statement that had initially been made during Tuesday’s Planning and Public Safety Committee meeting. She asserted that the Committee meeting was held in order to determine facts and it was unfortunate that some citizens had surmised her intent behind her questions were for ulterior motives. Ms. Evans expressed appreciation for the comments and statements

made by Councilmembers. She explained that what hurt her the most were the comments from Lexington citizens who continued to call in and deny the existence of racism, despite hearing the hate speech from the inflammatory commenters. Ms. Evans expressed gratitude to the numerous people who reached out to her during and after the comments were made and acknowledged what was happening. She thanked Mr. Chris Edwards, LexTV Video Production Supervisor, and Ms. Stacey Maynard, Council Administrator, for working the C.O.W. meeting and trying to ban the troll commenters as best they could. Ms. Evans noted there is work to be done, but it will take teamwork.

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Vice Mayor Kay thanked Ms. Evans for her comment. He stated that the end goal is to eliminate racism in all of its forms, but that the short term is legislation and that is in the Council's purview. Vice Mayor Kay agreed that concrete action should be taken before the Council goes on break, and acknowledged Mr. J. Brown had several ideas that should be followed up on. He emphasized to the public that the Council is wholly committed to taking action.

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Mr. Swanson commented that he was still processing the comments from the meeting. He wished everyone a Happy Juneteenth. He remarked that Juneteenth is not a Black holiday but rather an American holiday. Mr. Swanson talked about the significance of the day and the freedom it represents.

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Mayor Gorton offered condolences to Congressman Barr. She talked about the passing of her former professor Dr. Robert Straus, University of Kentucky's Dept. of Behavioral Science, and former Councilmember Bill McCann, who served on the Merger Commission.

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Upon motion by Vice Mayor Kay, seconded by Mr. Ellinger, and approved by unanimous vote, the meeting adjourned at 7:59 p.m.

