

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky August 15, 2019

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on August 15, 2019 at 6:01 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the council: Moloney, Mossotti, Plomin, Reynolds, Worley, Bledsoe, F. Brown, J. Brown, Ellinger, Evans, Farmer, Gibbs, Kay, Lamb, and McCurn.

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

Ordinances No. 50-2019 through 52-2019, inclusive, and Resolutions No. 380-2019 through 425-2019, inclusive, were reported as having been signed and published and ordered to record.

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The Invocation was given by the Reverend Robert Cunningham, Senior Pastor at Tates Creek Presbyterian Church.

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Mayor Gorton asked Head Coach Larry Poynter, Tates Creek Boys' Baseball Team, to join her at the podium, along with Mr. F. Brown and the players, assistant coaches, parents, and other team supporters for the Tates Creek Commodores. Mayor Gorton applauded the team for its winning season and for claiming the State Title.

Mr. F. Brown congratulated the players and coaches on a fantastic season.

Coach Poynter thanked the community for its strong support to the team as it was competing in the tournament.

Mayor Gorton presented Spirit of Lexington awards to the coaches, staff, and players.

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Mayor Gorton asked Coach Andy McCord, South Lexington Youth Baseball League 8U Red Team, to join her at the podium, along with Ms. Bledsoe, and the players and supporters of the team. Mayor Gorton spoke about the team's successful series in the 2019 Ohio Valley Regional Tournament and congratulated the team on its great

season. Ms. Bledsoe talked about the team's accomplishments and thanked the team for representing the City of Lexington so well.

Coach McCord thanked the Mayor and Council for the recognition and credited the players and their families for the team's success.

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Upon motion by Vice Mayor Kay, seconded by Mr. Worley, and approved by unanimous vote, the Minutes of the July 2, 2019 and July 9, 2019 Council Meetings, and the Minutes of the July 2, 2019 Zone Change Meeting, and the two July 8, 2019 Zone Change Meetings were approved.

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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, Plomin, Reynolds, -----15  
Worley, Bledsoe, F. Brown, J. Brown,  
Ellinger, Evans, Farmer, Gibbs, Kay,  
Lamb, McCurn

Nay: -----0

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to provide funds for purchase orders and pre-paid expenses rolling from FY 2019 into FY 2020, and appropriating and re-appropriating funds, Schedule No. 2.

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. 3.

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An Ordinance amending the Classified Civil Service authorized strength by transferring one (1) position of Administrative Officer Sr., Grade 526E, from the Div. of Planning to the Office of the Chief Development Officer, transferring the incumbent, effective upon passage of Council received first reading.

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

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

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

Nay: -----0

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The following ordinances received first reading and were ordered placed on file for public inspection until August 29, 2019:

An Ordinance changing the zone from a Two Family Residential (R-2) Zone to a Planned Neighborhood Residential (R-3) Zone, for 3.82 net (3.92 gross) acres, for property located at 1812 Versailles Rd. (Winterwood, Inc; Council District 11).

An Ordinance changing the zone from a Planned Neighborhood Residential (R-3) Zone to a Two Family Residential (R-2) Zone, for 1.48 net (1.69 gross) acres, for property located at 316-408 Rose Ln. (Roman Catholic Bishop Diocese of Lexington; Council District 3).

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. 4.

An Ordinance levying ad valorem taxes for Municipal Purposes for the fiscal year July 1, 2019 through June 30, 2020, on the assessed value of all taxable property within the taxing jurisdictions of the Lexington-Fayette Urban County Government (all taxes on each \$100.00 of assessed valuation as of the January 1, 2019 assessment date), as follows: General Services District, \$.0800 on real property, including real property of public service companies, \$.0892 on personal property, including personal property of public service companies, noncommercial aircraft, and noncommercial watercraft, \$.1500 on insurance capital, \$.0150 on tobacco in storage, and \$.0450 on agricultural products in storage; Full Urban or Partial Urban Services Districts based on urban services available on real property, including real property of public service companies, \$.1426 for Refuse Collection, \$.0213 for Street Lights, \$.0097 for Street Cleaning, \$.0920 on insurance capital, \$.0150 on tobacco in storage, \$.0450 on agricultural products in storage; abandoned urban property \$1.00; and levying an ad valorem tax for municipal

purposes at the rate of \$.0880 on each \$100.00 of assessed value on all motor vehicles and watercraft within the taxing jurisdiction of the Lexington-Fayette Urban County Government as of the January 1, 2020 assessment date.

An Ordinance levying ad valorem taxes for purposes of support of the Agricultural Extension Office for the Fiscal Year July 1, 2019 through June 30, 2020, on the assessed value of all taxable real and personal property within the taxing jurisdiction of the Lexington-Fayette Urban County Government (all taxes on each \$100.00 of assessed valuation as of the January 1, 2019 assessment date), as follows: \$.0035 on all taxable real property, including real property of public service companies, \$.0041 on taxable personal property, including personal property of public service companies, noncommercial aircraft, and noncommercial watercraft, and excluding inventory in transit, insurance capital, tobacco in storage, and agricultural products in storage; and levying an ad valorem tax for purposes of support of the Agricultural Extension Office at the rate of \$.0032 on each \$100.00 of assessed value on all motor vehicles and watercraft within the taxing jurisdiction of the Lexington-Fayette Urban County Government as of the January 1, 2020 assessment date.

An Ordinance adopting the request of the Lexington-Fayette County Health Dept. under KRS 212.755 and levying a special ad valorem public health tax for the Fiscal Year July 1, 2019 through June 30, 2020, on the assessed value of all taxable real and personal property within the taxing jurisdiction of the Lexington-Fayette Urban County Government, including real and personal property of public service companies, noncommercial aircraft, noncommercial watercraft, and inventory in transit, and excluding insurance capital, tobacco in storage, and agricultural products in storage, at the rate of \$.028 on each \$100.00 of assessed value as of the January 1, 2019 assessment date; and levying a special ad valorem public health tax at the rate of \$.028 on each \$100.00 of assessed value on all motor vehicles and watercraft within the taxing jurisdiction of the Lexington-Fayette Urban County Government, as of the January 1, 2020 assessment date.

An Ordinance levying ad valorem taxes for purposes of support of the Soil and Water Conservation District for the Fiscal Year July 1, 2019 through June 30, 2020, on the assessed value of all taxable real property within the taxing jurisdiction of the Lexington-Fayette Urban County Government, including real property of public service

companies, at a rate of \$.0006 on each one hundred dollars (\$100.00) of assessed valuation as of the January 1, 2019, assessment date.

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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: Alicia Underwood, Accountant, Grade 516N, \$20.897 hourly in the Div. of Accounting, effective August 26, 2019, Cheri Reed, Administrative Specialist Sr., Grade 516N, \$22.040 hourly in the Div. of Revenue, effective August 26, 2019, Deon Smither, Trades Worker Sr., Grade 511N, \$15.915 hourly in the Div. of Streets and Roads, effective August 26, 2019, Andrew Mains, Public Service Worker Sr., Grade 509N, \$15.547 hourly in the Div. of Streets and Roads, effective September 3, 2019, Tangela Jessee, Resource Recovery Operator, Grade 513N, \$17.958 hourly in the Div. of Waste Management, effective upon passage of Council, Willie McGhee, Resource Recovery Operator, Grade 513N, \$17.291 hourly in the Div. of Waste Management, effective upon passage of Council, Lauren Wood, Code Enforcement Officer, Grade 516N, \$20.066 hourly in the Div. of Code Enforcement, effective August 26, 2019, Russell Watkins, Engineering Technician, Grade 514N, \$19.000 hourly in the Div. of Engineering, effective August 26, 2019, Padhraic Sweet, Vehicle & Equipment Technician, Grade 514N, \$18.439 hourly in the Div. of Facilities and Fleet Management, effective upon passage of Council and Matthew Holmes, Service Writer, Grade 513N, \$17.000 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: Tiffany Andrews, Timothy Gulley, Alanna Cerelli, Indiah Kombo, Joshua Cosby, Adam Silber, Christopher Conner, Dennis Sparks, Zane Cordingly, James Holder and Jessica'lyn Adams, all Community Corrections Officer Recruit, Grade 109N, \$15.384 hourly in the Div. of Community Corrections, effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following Unclassified Civil Service Appointments: Elizabeth Cole, Clerical Assistant P/T, Grade 505N, \$14.000 hourly in the Div. of Family Services, effective August 26, 2019 and Violine Akotch, Family Support Worker Sr., Grade 514N, \$18.50 hourly in the Div. of Family Services, effective September 8, 2019, received first reading.

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

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

Aye: Moloney, Mossotti, Plomin, Reynolds, -----15  
Worley, Bledsoe, F. Brown, J. Brown,  
Ellinger, Evans, Farmer, Gibbs, 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 Federal Equitable Sharing Agreement and Certification with the Dept. of Justice, the Dept. of the Treasury for participation in the Federal Equitable Sharing Program, received first reading.

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

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

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

Nay: -----0

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the U.S. Dept. of Justice, to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$148,300 Federal funds under the Edward Byrne Memorial Justice Assistance Grant Program - FY 2020, are for the purchase of equipment and training for the Div. of Police, received first reading.

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

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

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

Nay: -----0

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The following resolutions received first reading and were ordered placed on file for public inspection until August 29, 2019:

A Resolution accepting the bid of L-M Asphalt Partners Ltd. d/b/a ATS Construction, in the amount of \$2,890,352.40, for the Polo Club Blvd. Public Improvement Project, for the Div. of Engineering, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with ATS Construction, related to the bid.

A Resolution accepting the bid of Path Master, Inc., establishing a price contract for Granville Streetlight Equipment, for the Div. of Traffic Engineering.

A Resolution accepting the bid of Finley Fire Equipment Co., Inc. d/b/a Bluegrass Fire Equipment, establishing a price contract for Fire Hose, for the Div. of Fire and Emergency Services.

A Resolution accepting the bid of Kiesler Police Supply, Inc., establishing a price contract for Ammunition, for the Div. of Police.

A Resolution accepting the bid of Fuelband, LLC, in the amount of \$105,000, for the Construction of Metal Storage Building, for the Div. of Parks and Recreation, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Fuelband, LLC, related to the bid.

A Resolution ratifying the Probationary Classified Civil Service Appointments of: Tamar Tompkins, Administrative Specialist Sr., Grade 516N, \$20.217 hourly in the Div. of Revenue, effective August 19, 2019, Melissa Lyle, Administrative Specialist, Grade 513N, \$20.889 hourly in the Div. of Revenue, effective August 19, 2019, Joseph Boone, Equipment Operator, Grade 510N, \$15.271 hourly in the Div. of Water Quality, effective September 2, 2019, Darren Lizer, Heavy Equipment Technician, Grade 516N, \$21.500 hourly in the Div. of Facilities and Fleet Management, effective September 2, 2019 and Amanda Patrick, Social Worker Sr., Grade 516E, \$1,743.44 biweekly in the Div. of Aging

and Disability Services, effective September 2, 2019; ratifying the Permanent Civil Service Appointments of: Tammy Switzer, Administrative Specialist, Grade 513N, \$17.955 hourly in the Div. of Revenue, effective June 10, 2019, Dereke Soaper, Public Service Worker Sr., Grade 509N, \$14.261 hourly in the Div. of Streets and Roads, effective May 12, 2019, Gary Robertson, Equipment Operator Sr., Grade 512N, \$19.130 hourly in the Div. of Streets and Roads, effective October 30, 2018, James Begley, Public Service Worker Sr., Grade 509N, \$14.752 hourly in the Div. of Streets and Roads, effective May 12, 2019, David Walker, Trades Worker Sr., Grade 511N, \$16.375 hourly in the Div. of Streets and Roads, effective July 22, 2018, Christopher Jodarski, Trades Worker Sr., Grade 511N, \$16.643 hourly in the Div. of Streets and Roads, effective November 7, 2018, Adam Tackett, Safety Coordinator, Grade 516N, \$21.777 hourly in the Div. of Streets and Roads, effective November 21, 2018, Randall Wilson, Equipment Operator Sr., Grade 512N, \$17.423 hourly in the Div. of Streets and Roads, effective October 30, 2018, Thomas Chandler, Equipment Operator Sr., Grade 512N, \$17.157 hourly in the Div. of Water Quality, effective May 19, 2019, James Duff, Equipment Operator, Grade 510N, \$16.447 hourly in the Div. of Water Quality, effective May 26, 2019, Pamela Casey, Administrative Specialist, Grade 513N, \$17.191 hourly in the Div. of Waste Management, effective June 17, 2019, Bethany McFadden, Telecommunicator Supervisor, Grade 520E, \$1,998.80 biweekly in the Div. of Enhanced 911, effective May 12, 2019, Jessica Bailey, Administrative Specialist, Grade 513N, \$17.395 hourly in the Div. of Facilities and Fleet Management, effective August 4, 2019, Lauren Hedge, Planner, Grade 517N, \$22.227 hourly in the Div. of Planning, effective July 7, 2019, Lauren Weaver, Planner Sr., Grade 521N, \$25.371 hourly in the Div. of Planning, effective July 7, 2019, Jennifer Hubbard-Sanchez, Recreation Manager, Grade 518E, \$2,176.00 biweekly in the Div. of Parks and Recreation, effective July 14, 2019, Joseph Elam, Skilled Trades Worker Sr., Grade 517N, \$25.906 hourly in the Div. of Parks and Recreation, effective June 17, 2019, Jesse Henderson, Public Service Worker Sr., Grade 509N, \$15.550 hourly in the Div. of Parks and Recreation, effective July 22, 2019 and Taylor Hamm, Stores Clerk, Grade 508N, \$13.515 hourly in the Div. of Parks and Recreation, effective August 4, 2019; ratifying the Probationary Sworn Appointments of: Daniel Truex, Police Lieutenant, Grade 317E, \$3,281.26 biweekly in the Div. of Police, effective August



19, 2019, and Christopher Ruebsam, Police Sergeant, Grade 315N, \$32.408 hourly in the Div. of Police, effective August 19, 2019; ratifying the Permanent Sworn Appointments of: Thomasena Grider, Police Sergeant, Grade 315N, \$32.408 hourly in the Div. of Police, effective August 4, 2019 and Matthew Merker, Police Sergeant, Grade 315N, \$32.408 hourly in the Div. of Police, effective August 4, 2019; ratifying the Classified Civil Service Council leave of: Wilson Retana-Valencia, Equipment Operator Sr., Grade 512N, \$16.562 hourly in the Div. of Streets and Roads, effective from July 31, 2019 through October 28, 2019 and ratifying the Classified Civil Service demotion of: Michael Rowe, Maintenance Mechanic, Grade 515N, \$18.797 hourly in the Div. of Water Quality, effective August 19, 2019.

A Resolution designating the speed limit on Wellington Way, between Lyon Dr. and Harrodsburg Rd., as 25 miles per hour, and authorizing and directing the Div. of Traffic Engineering to install proper and appropriate signs in accordance with the designation.

A Resolution amending Resolution No. 93-2019, which declared a moratorium on zone map amendments and demolition permits for all properties located within the proposed Pensacola Park Area Historic Districts (H-1 Overlay Zone), more specifically defined as the following properties: 1733-1915 Nicholasville Rd. (odd addresses only, excluding 1847 Nicholasville Rd.); Chesapeake Dr. (no addresses); 96-171 Goodrich Ave.; 101-224 Lackawanna Rd.; 1855-1859 Norfolk Dr.; 101-177 Penmoken Park; 1847-1877 Pensacola Dr. (excluding 1871 Pensacola Dr.); 108-199 Rosemont Garden; 105-175 Suburban Ct.; and 101-166 Wabash Dr.; directing the Div. of Planning to refuse to accept or process applications for a zone change and directing the Div. of Building Inspection to refuse to accept applications for demolition permits for these properties; establishing the purpose of this moratorium is to give the Planning Commission and the Urban County Government time to consider and take final action on an H-1 Overlay Zone Application to be initiated by the Planning Commission for these properties; and extending the duration of the moratorium to March 7, 2020 on the proposed Pensacola Park Area H-1 Overlay Zone, or until such time as the Urban County Council takes final action on the H-1 Overlay Zone Application.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the Foundation for Latin American Culture and Art (FLACA) regarding the coordination and production of the Latino Festival de Lexington, at a cost not to exceed \$7,500.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Railroad Facility Encroachment Agreement with CSX Transportation, Inc., for the Sharon Village Pump Station Sanitary Sewer Project, for the Div. of Water Quality, at a cost not to exceed \$12,140.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Railroad Facility Encroachment Agreement with CSX Transportation, Inc., for the Lexmark Trunk A Sewer Project, for the Div. of Water Quality, at a cost not to exceed \$8,600.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2 (Final) to the Agreement with Lagco, Inc., for the Arrowhead Drive Stormwater Improvements Project, increasing the Contract price by the sum of \$1,800, from \$208,114 to \$209,914.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with Bluegrass Area Development District (BGADD), for the operation of the Homecare Program for home-bound seniors, at a cost not to exceed \$48,610.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 5 with the Ky. Transportation Cabinet, for the acceptance of additional Federal funds in the amount of \$2,891,000 for the Polo Club Boulevard Construction Phase, the acceptance of which does not obligate the Urban County Government for the expenditure of funds as a local match.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a five year Service Agreement with Accela for use of the Accela Land Management Platform, at a cost not to exceed \$362,528.27 per year, increasing by 3% annually.

A Resolution approving the Fayette County Sheriff's Settlement - 2018 taxes, for taxes collected as of April 16, 2019, and granting the Sheriff a Quietus.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Residential Lease Agreement with Lucas Rose for the Masterson Station Park caretaker property located at 3561 Shamrock Ln. in consideration of annual rent in the amount of \$5,250.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. Three (3) to the Professional Services Agreement with CDP Engineers, Inc., for the design of Town Branch Trail Phase III Project, increasing the Contract price by the sum of \$21,230 from \$100,450 to \$121,680.

A Resolution amending Resolution 42-2014, which authorized the execution of a Master Lease Agreement with Dell Financial Services, LLC, for desktop computers, to authorize the Chief Information Officer to execute future True Lease Schedules pursuant to the Master Lease Agreement for the replacement of desktop computers.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with C3 Mechanical, for the Bell Place Fan Coil Replacement Project, increasing the Contract price by the sum of \$2,860, from \$77,210 to \$80,070.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement (awarded pursuant to RFP No. 25-2019) with Hazen and Sawyer, P.S.C., for Sanitary Sewer Remedial Measures Program Management Consulting Services, at a cost estimated not to exceed \$900,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2 (Final) to the Agreement with Woodall Construction Co., Inc., for the Wellington Stormwater Basin A Improvements Project, decreasing the Contract price by the sum of \$12,780.49, from \$177,689.30 to \$164,908.81, and extending the date of completion by 118 calendar days, to March 20, 2019.

A Resolution amending Resolution No. 382-2019, which accepted the bid of Advanced Mulching Technologies d/b/a EcoGro, for the WGPL Green Infrastructure Project, to change the amount of the bid from \$152,962 to \$159,962.

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 Integrated Engineering, PLLC, for design services of Meadows/Northland/Arlington Public

Improvements Project, Phase 6A2, increasing the Contract price by the sum \$32,320 from \$319,000 to \$351,320.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Lexington Housing Authority, providing a one-time Grant to help with deposit and move-in financial assistance for those experiencing homelessness, at a cost not to exceed \$20,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Memorandum of Agreement with Bluegrass Community and Technical College, for participation of Police personnel in College courses, at a cost not to exceed \$60,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with Blau Mechanical, Inc. for the project Det\_Plumbg\_2019, replacing the domestic hot water lines, for the Div. of Community Corrections, increasing the Contract price by the sum of \$40,468.41 from \$172,000.00 to \$212,468.41.

A Resolution assigning the economic incentive previously granted to nGimat, LLC, pursuant to Resolution 661-2010 to Engi-Mat Co. or its successors in interest or affiliates as may be approved by the Ky. Economic Development Finance Authority.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Third Amendment to Agreement with Aramark Correctional Services, LLC, for the price per meal charge increase mandated in the Agreement, for the Div. of Community Corrections, at a cost not to exceed \$1,922,144 for FY 2020.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Agreement with Bluegrass Area Development District (BGADD), to include the budget and breakdown of eligible reimbursable expenses for the Senior Citizens Center for FY 2020, at no additional cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Shepherd's House, for provision of Substance Abuse Programming for men at the Detention Center for FY 2020, at a cost not to exceed \$65,700.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Shepherd's House, for provision of Substance Abuse Programming for women at the Detention Center for FY 2020, at a cost not to exceed \$65,700.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the Commonwealth of Ky. Justice and Public Safety Cabinet, Ky. State Police, for the acceptance of Federal funds in the amount of \$20,000.00, under the Ticketing Aggressive Cars and Trucks (TACT) Grant program for FY 2020, the acceptance of which obligates the Urban County Government for the expenditure of \$3,529.41 as a local match.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with Roots & Heritage Festival, Inc., for the 2019 Roots & Heritage Festival, at a cost not to exceed \$35,500, plus additional in-kind services (estimated cost of \$62,313.25).

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Purchase of Service Agreements for fiscal year 2020 with Commerce Lexington (\$388,450), Downtown Lexington Partnership (\$147,055), LexArts (\$415,700), Lyric Theatre & Cultural Arts Center (\$127,500), Urban League of Lexington-Fayette County (\$76,500), and World Trade Center Ky. (\$46,750), at a total cost not to exceed \$1,201,955.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to Marathon Petroleum Corporation, and to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$5,000, for the purchase of training and equipment for the Div. of Fire and Emergency Services for FY 2020, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the Lexington Art League establishing the

parties' respective rights and duties concerning the production of the Woodland Art Fair and funds generated thereby.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Sunny Slope Farms Homeowners Association (\$1,000), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution establishing a Residential Parking Permit Program for the 400 block of W. Second St., twenty-four (24) hours per day, Monday through Sunday.

A Resolution approving the Office of Homelessness Prevention and Intervention (OHPI) Standard Operating Procedures in relation to encampment removals in Fayette County.

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Upon motion by Vice Mayor Kay, and seconded by Ms. Plomin, the Communications from the Mayor were approved by unanimous vote and were as follows: (1) Recommending the appointments of Mr. Trevion McFarland and Mr. Rick Pierce to the Alarm Advisory Board, both with terms expiring August 15, 2022; (2) Recommending the appointment of Council Member Jennifer Reynolds to the Board of Health with a term expiring December 31, 2020; (3) Recommending the term corrections of Ms. Jessica Honican and Shelby Howell, the appointment of Ms. Jillian Kyde, and the reappointments of Mr. Frederick Seitz, Mr. Jason Wright, and Ms. Sandra Kay Yates to CASA of Lexington, with terms expiring July 1, 2023, July 1, 2023, July 1, 2021, July 1, 2022, July 1, 2020, and July 1, 2022, respectively; (4) Recommending the reappointments of Council Member Amanda Bledsoe, Council Member James Brown, and Ms. Elizabeth Pattengill, Federated Garden Club Representative - Voting, to the Corridors Commission, all with terms expiring August 13, 2023; (5) Recommending the reappointment of Ms. Samantha Castro, LFUCG Representative, to the Courthouse Area Design Review Board with a term expiring June 30, 2023; (6) Recommending the appointment of the following ex officio positions to the Domestic and Sexual Violence Prevention Coalition: Mr. T. Bruce Bell, Fayette County District Chief Judge, Ms. Traci Brislin, Fayette County Family Court Chief Judge, Ms. Catherine DeFlorio, Violence Against Women Act Attorney from Legal Aid of the Bluegrass, Ms. Taryn Henning, UK Violence Intervention and Prevention Director, Ms. Shayla Lynch, Ampersand Sexual Violence Resource Center Director, Mr.

Duane Osborne, Friend of the Court, and Ms. Isabel Taylor, Director of Multicultural Affairs; (7) Recommending the reappointment of Mr. Bernie Fields to the Environmental Hearing Commission with a term expiring February 18, 2022; (8) Recommending the appointment of Mr. Hank Zeitlin to the Ethics Commission with a term expiring August 15, 2023; (9) Recommending the appointments of Mr. Hunter Porter and Mr. Douglass Reed to Explorium both with terms expiring August 15, 2023; (10) Recommending the reappointments of Mr. Greg Butler, Land Use Planner- Voting, and Ms. Patricia Knight, Lexington Convention and Visitors Bureau Representative to the Greenspace Commission, both with terms expiring June 30, 2023; (11) Recommending the reappointments of Ms. Lendy Brown, Bluegrass Conservancy Representative, Ms. Wanda Jacquith, Ashland Park Neighborhood Representative, the appointment of Mr. Alan Cornett, LBAR Representative, filling an unexpired term, with terms expiring June 30, 2023, June 30, 2023, and June 30, 2021, respectively; and the ex officio appointment of Mr. Jim Dickinson, Board of Architectural Review Chair; (12) Recommending the reappointment of Mr. Jon Parker to the Homelessness Prevention and Intervention Board with a term expiring April 29, 2023; (13) Recommending the appointment of Mr. Christian Adair to the Human Rights Commission with a term expiring September 10, 2023; (14) Recommending the reappointments of Mr. Bernie Fields, Builder/Developer Representative, and Mr. Jesse Robbins, At Large member, to the Infrastructure Hearing Board, both with terms expiring February 1, 2021; (15) Recommending the appointment of Mr. Greg Butler, At Large member, to Keep Lexington Beautiful with a term expiring February 1, 2023; (16) Recommending the appointment of Ms. Lynda Bebrowsky, filling an unexpired term, to the Library Board of Trustees with a term expiring July 20, 2022; (17) Recommending the reappointment of Ms. Olivia Davis, At Large member, to the Lyric Theatre and Cultural Arts Center with a term expiring August 13, 2023; (18) Recommending the appointment of Ms. Lena Campbell, Masterson Station Neighborhood Association Representative, filling an unexpired term, to the Masterson Station Park Advisory Board with a term expiring March 3, 2020; (19) Recommending the reappointment of Council Member Jennifer Reynolds to the Mayor's International Affairs Advisory Board with a term expiring October 8, 2023; (20) Recommending the reappointment of Mr. Robert McGoodwin, Fayette County Resident, to the Paris Pike

Corridor Commission with a term expiring August 13, 2023; (21) Recommending the appointment of Council Member Preston Worley to the Parks and Recreation Advisory Board; (22) Recommending the reappointment of Council Member Fred Brown to the Senior Services Commission with a term expiring August 27, 2023; (23) Recommending the reappointment of Mr. George Ward to the Transit Authority Board with a term expiring June 30, 2023; (24) Recommending the reappointment of Ms. Georgia Henkel, Painter, to the Urban Arts Review Board with a term expiring June 18, 2023; and, (25) Recommending the appointment of Mr. David Lowe, Fayette County Resident, filling an unexpired term, to the Water Quality Fees Board with a term expiring November 19, 2019.

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

(1) Resignation of Melissa Stiff, Social Worker Sr., Grade 516E, in the Div. of Aging and Disability Services, effective July 31, 2019; (2) Resignation of Suzette Loveday, Grants Manager, Grade 523E, in the Div. of Grants and Special Programs, effective August 6, 2019; (3) Resignation of Alexander Johnston, Security Officer, Grade 507N, in the Div. of Public Safety, effective July 5, 2019; (4) Resignation of Frederick Haar, Administrative Specialist, Grade 513N, in the Div. of Water Quality, effective July 5, 2019; (5) Resignation of Justin Mitchell, Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective July 21, 2019; (6) Resignation of Amber Richardson, Child Care Program Aide, Grade 508N, in the in the Div. of Family Services, effective July 30, 2019; (7) Resignation of Todd Manning, Police Officer, Grade 311N, in the Div. of Police, effective August 2, 2019; (8) Resignation of Jon Taylor, Skilled Trades Worker Sr., Grade 517N, in the Div. of Water Quality, effective July 12 2019; (9) Resignation of Erika Hinman, Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective July 14, 2019; (10) Resignation of Jacob Ames, Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective July 21, 2019; (11) Resignation of Melissa Hall, Engineering Technician, Grade 514N, in the Div. of Engineering, effective July 15, 2019; (12) Resignation of Semiu Adeyeye, Corrections Recruit, Grade 109N, in the Div. of Community Corrections, effective July 17, 2019; (13) Resignation of Michael Bereznak, Safety Officer, Grade 511N, in the Div. of Police, effective July 30, 2019; (14) Resignation of Stacey Linville, Safety Officer, Grade 511N, in the Div. of Police, effective July 11,



2019; (15) Resignation of James Tinsley, Safety Officer, Grade 511N, in the Div. of Police, effective July 16, 2019; (16) Classified Civil Service Lateral Transfer of Crystal Mundy, Administrative Specialist, Grade 513N, \$19.215 hourly, from the Div. of Purchasing to the Div. of Water Quality, effective August 19, 2019; and, (17) Classified Civil Service Lateral Transfer of Matthew Hafley, Maintenance Mechanic, Grade 515N, \$19.837 hourly, from the Div. of Waste Management to the Div. of Water Quality, effective August 19, 2019.

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Commander Ann Welch, Div. of Police, presented a disciplinary matter regarding Officer Jessie Mascoe. It is alleged that Officer Mascoe has committed the offense of: Violating Any Rules of the Department and Unsatisfactory Performance in violation of KRS 95.450 and General Order 1973-02J Disciplinary Procedures, Appendix B, Operational Rule 1.35 Violating Any Rules of the Division, specifically General Order 2011-08D Emergency and Pursuit Driving, Section V – Pursuits, Subsections A – General Procedures, Paragraph 1 and General Order 1973-02J, Disciplinary Procedures, Appendix B, Operational Rule 1.11 – Unsatisfactory Performance in that on the various days of February through June 2019 he/she allegedly:

On May 27, 2019 at approximately 1400 Hours, Officer Masco attempted to stop a vehicle in the area of Georgetown Road and Ash Street for a window tint violation. The vehicle fled from the stop and struck a fence and another vehicle while fleeing. Officer Masco pursued the vehicle with his emergency equipment activated. This is the second time Officer Masco has engaged in a vehicle pursuit contrary to policy. He received a Letter of Counseling on March 18, 2019 for the first violation of General Order 2011-08D Emergency and Pursuit Driving.

Since February 2019, Officer Masco has demonstrated a lack of performance, proficiency, and understanding in multiple areas.

On March 18, 2019 Sergeant Joshua Yahr met with Officer Masco to issue a Letter of Counseling regarding violations of the Emergency and Pursuit Driving Policy he observed on Body Worn Camera (BWC) during a pursuit on February 27, 2019 and a traffic stop on March 11, 2019.

On March 18th and on March 26, 2019 Officer Masco commits several traffic violations while looking for traffic offenders which resulted in formal charges for violation of General Order 1973-02J, Disciplinary Procedures, Appendix B, Operational Rule 1.13, Operation of Vehicles.

April 8, 2019 Officer Masco received a Letter of Counseling for failing to give a suspect their Miranda Warning, improper search/frisk procedures (Date of Incident [DOI]: March 26, 2019), and for failing to properly book evidence (DOI: March 27, 2019). The incident for March 26, 2019 was ultimately dismissed by the prosecutor, without prejudice, due to Officer Masco's tactics.

On May 27, 2019, Officer Masco was involved in a pursuit that was in violation of General Order 2011-08D Emergency and Pursuit Driving; this was Officer Masco's second pursuit that was in violation of policy.

On June 2, 2019 Officer Masco was issued a Coaching and Counseling Form for various issues including, but not limited to, improper BWC activation, improper searching procedures, improper documentation of a traffic stop, and failing to advise the subject the Miranda Warning (DOI: April 21, 2019). In addition to the documented counseling, Officer Masco attended formal retraining on June 14, 2019 regarding Search and Seizure and the Miranda Warning.

On June 21, 2019, Officer Masco drove his vehicle out of county without supervisory permission.

The appropriate punishment for this conduct is Two Months Suspension Without Pay, and, upon return to duty, Six Month Suspension of Home Fleet.

Ms. Evans asked, generally, about the effect of a long suspension on an officer's continued employment with the Lexington Police Department, and specifically, about the process for this disciplinary matter. Comm. Welch responded.

Upon motion by Mr. Farmer, seconded by Vice Mayor Kay, and approved by unanimous vote, the disciplinary recommendation was approved.

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Ms. Lamb spoke about a well-attended Back to School Party at Southern Middle School on Monday, August 12, 2019. She spoke about many fun activities and thanked staff across several city departments and agencies who made the event a success. A good time was had by all.

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Mr. F. Brown discussed the City's lack of control over the taxing authority of the Fayette County Board of Education.

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Mr. J. Brown announced the 16<sup>th</sup> annual East End Family Reunion on August 16 – 18, 2019 at the Charles Young Park. He thanked the many city departments that make the event possible and talked about the various activities. Mr. J. Brown congratulated the new Executive Director of the Lyric Theatre, Mr. Whit Whitaker.

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Ms. Reynolds talked about the various happenings in the 11<sup>th</sup> District, including: Monday, August 19, 2019 at 6:30 p.m., the Cardinal Valley Park Activity Board Meeting; Tuesday, the Cardinal Valley Neighborhood Association Meeting at the Village Branch Library at 6:30 p.m.; Thursday, the Back-to-School Party at Gardenside Park from 5:00-7:00 p.m.; and then rounding out the week, on Friday, will be the Greater Gardenside Association's "Gardenside at Sunset", a street festival aimed at strengthening community bonds, to be held at the Gardenside Shopping Center from 6:00-10:00 p.m.

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Mr. Worley spoke about back-to-school traffic issues and reminded everyone to use caution while the community gets back in the swing of managing school traffic, particularly at the newly-opened Brenda Cowan Elementary School.

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Mr. Mark Smith, Versailles Rd., spoke about a letter he received from the Div. of Planning. Ms. Reynolds discussed that her office will work with Mr. Smith to resolve the issues regarding the letter.

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Upon motion by Mr. Ellinger, seconded by Ms. Plomin, and approved by unanimous vote, the meeting adjourned at 7:09 p.m.

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Deputy Clerk of the Urban County Council