

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky September 8, 2022

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on September 8, 2022 at 6:00 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the Council: Baxter, Bledsoe, F. Brown, J. Brown, Ellinger, Kay, Kloiber, Lamb, LeGris, McCurn, Moloney, Reynolds, Sheehan, and Worley. Absent was Council Member Plomin.

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

Ordinances No. 77-2022 through 94-2022, inclusive, and Resolutions No. 425-2022 through 483-2022, inclusive, were reported as having been signed and published and ordered to record.

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The Invocation was given by Reverend Keith Tyler of Antioch Missionary Baptist Church.

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Mayor Gorton asked Aldona Valicenti, Chief Information Officer, to join her at the podium, and read a Proclamation declaring September 8, 2022 as Aldona Valicenti Day in Lexington. She spoke about Chief Valicenti's personal and professional accomplishments and thanked her for her contributions to the City before congratulating her on receiving Wayne State University's 2022 Dept. of Chemistry Outstanding Alumni Award.

Chief Valicenti spoke briefly of her experiences as a woman working in the Chemistry field and expressed appreciation for the recognition.

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Mayor Gorton asked Aids Volunteers of Lexington Kentucky (AVOL Kentucky) Executive Director Jon Parker to join her at the podium, along with AVOL Kentucky Community Engagement Manager Anthony Smallwood, and AVOL Kentucky President of the Board of Directors Roy Harrison, and read a Proclamation declaring September 15, 2022 as Dining Out for Life Day in Lexington. She spoke about the efforts of AVOL Kentucky and their upcoming annual fundraising event "Dining Out for Life".

Mr. Parker shared the history of AVOL Kentucky and the agency's mission. He thanked the Mayor and Council for the recognition and encouraged everyone to enjoy a meal at the "Dining out for Life" participating restaurants on September 15, 2022.

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Mayor Gorton provided an update to the Council regarding a motion made at the September 6, 2022 Work Session requesting the administration to work with Div. of Police on Memorandums of Understanding (MOU) that would adjust certain sections of the Collective Bargaining Agreements, and bring recommendations back to the Council. She clarified the potential changes would be enacted via Memorandums of Agreements (MOA), and noted conversations would be held with all of the Bargaining Units. Mayor Gorton reminded the Council that depending on the agreed upon changes, budget reductions or revenue enhancements may need to be implemented, and stated the MOAs would be brought forward to the Council for approval at a later date.

Mr. Moloney stated his desire to see a member of Council's involvement in the discussions. Dave Barberie, Dept. of Law, responded, noting pay enhancements were encompassed in Collective Bargaining Agreements (CBA) and would need to be negotiated as such. Mr. Moloney requested clarification on why his proposed amendments to allow retirees to return to the force, and a 3 year guarantee of employment, would need to be closed negotiations, noting they were not pay enhancements. Mr. Barberie responded.

Mr. F. Brown expressed frustration, stating that at the time the motion was made, his understanding was that the Council would participate in potential MOU discussions. Mr. Barberie responded. Mr. F. Brown inquired about securing a good faith waiver from the Fraternal Order of Police that would allow certain areas of the CBA to be reopened for negotiation. Mr. Barberie responded. Mr. F. Brown asked if the City had reopened a CBA in the past. Mr. Barberie responded.

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The following ordinances received second reading. Upon motion by Ms. Bledsoe, and seconded by Vice Mayor Kay, the ordinances were approved by the following vote:

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

Nay: -----0

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to reflect current requirements for funds in the amount of \$1,500 for the Div. of Environmental Services from Neighborhood Development Funds for purchase of a trailer, Schedule No. 11.

An Ordinance changing the zone from a Wholesale and Warehouse Business (B-4) zone to a Planned Neighborhood Residential (R-3) zone, for 2.22 net (3.39 gross) acres, for property located at 2651 Sandersville Rd. (Artisan Apartments, LLC; Council District 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, FY 2023 Schedule No. 9.

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An Ordinance amending the Unclassified Civil Service authorized strength by abolishing one (1) vacant unclassified position of Budget Analyst Sr., Grade 521E, and creating one (1) unclassified position of Budget Analyst, Grade 519N, in the Office of Urban County Council, effective upon passage of Council received first reading.

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

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

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

Nay: -----0

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The following ordinances received first reading and were ordered to be placed on file for public inspection until September 22, 2022:

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 2023 Schedule No. 12.

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to reflect current requirements for the Div. of Environmental Services for funds in the amount of \$168 from Neighborhood Development Funds for tree replacement in the Pebble Creek right-of-way, Schedule No. 14.

An Ordinance amending and reenacting the following sections of Chapter 12 of the Lexington Fayette Urban County Government Code of Ordinances pertaining to housing and property maintenance standards: Section 12-1 related to the Property Maintenance Code to adopt and incorporate the 2021 Edition of the International Property Maintenance Code with certain deletions, revisions, and additions including matters related to its scope and administration, definitions, general requirements, light, ventilation and occupancy limitations, plumbing facilities and fixture requirements, mechanical and electrical requirements, Fire safety requirements, other codes, penalties, violations and the Violations library; Section 12-2(c) related to nuisances to create certain exemptions and special provisions related to the excessive growth of weeds, grass and other vegetation; Section 12-3 related to abatement of nuisance to reassign certain duties from the Commissioner of Planning, Preservation, and Development to the Commissioner of Housing Advocacy and Community Development; and Section 17-162(a) related to sidewalk replacement financial assistance to reduce the annual income threshold in the definition of “qualified property owner”; all effective on January 1, 2023.

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Four (4) to the Agreement with Pace Contracting for the Town Branch Commons Corridor Construction Project, increasing the Contract price by \$177,159.21 and raising the total Contract price from \$21,920,359.57 to \$22,097,518.78, pending approval from the Ky. Transportation Cabinet received second reading.

Upon motion by Mr. Ellinger, and seconded by Mr. McCurn, the resolutions were approved by the following vote:

Aye: Baxter, F. Brown, J. Brown, Ellinger, -----12
Kay, Kloiber, Lamb, LeGris, McCurn,
Reynolds, Sheehan, Worley

Nay: Moloney -----1

Absent: Bledsoe

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

Aye: Baxter, F. Brown, J. Brown, Ellinger, -----13
Kay, Kloiber, Lamb, LeGris, McCurn,
Moloney, Reynolds, Sheehan, Worley

Nay: -----0

Absent: Bledsoe

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Education Agreement with the University of Ky. College of Social Work, for the purpose of enabling students enrolled in the University to participate in educational experiences and learning activities in the Dept. of Social Services, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the United States Dept. of Health and Human Services, which Grant funds are in the amount of \$499,997 in Federal funds, under the First Responders - Comprehensive Addiction and Recovery Support Services Act Grant, to support Year 1 of the Expanded First Responders and Community Partners Overdose Prevention Project, the acceptance of which does not obligate the Urban County Government to 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, pursuant to the Jobs Fund Program, to execute a ten (10) year Loan Agreement and related documents with Helios Aerosystems, LLC, in an amount not to exceed \$120,000.00, for the creation and retention of at least three (3) 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 an Agreement with Canteen, for vending machines at Police Headquarters.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement (awarded pursuant to RFP No. 41-2022) with Spec Rescue International for FEMA Structural Collapse Specialist Training and related expenses, at a cost not to exceed \$29,033.20.

A Resolution authorizing the Div. of Police to purchase Pathfinder Software from Cellebrite, Inc., a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Cellebrite, Inc, related to the procurement, at a cost not to exceed \$59,500.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Data License Agreement with Streetlight Data, Inc., so it may complete an online transportation analytics platform to monitor multimodal travel within Fayette and Jessamine Counties in response to RFP No. 11-2022, at a cost not to exceed \$130,000 in FY 2023.

A Resolution accepting the bids of Wastebuilt Environmental Solutions, LLC; E Z Pack Refuse Hauling Solutions LLC; and J. Edinger & Son, Inc., establishing price contracts for Refuse Truck Body Parts Supplemental, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Paul Miller Ford, Inc., establishing a price contract for Auto Repairs for Ford Vehicles, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bids of the Public Safety Store, LLC, and Whole Energy and Hardware, Inc., establishing a price contracts for Smoke Alarms, for the Div. of Fire and Emergency Services.

A Resolution accepting the bid of Bradley Hook It Up Mobile, LLC, establishing a price contract for Vehicle Pressure Washing & Cleaning of Downtown Corral, for the Div. of Waste Management.

A Resolution accepting the bid of S & S Firestone, Inc. dba S & S Tire, establishing a price contract for Tire Retreading, for the Div. of Facilities and Fleet Management.

A Resolution ratifying the Permanent Classified Civil Service Appointment of: Crystal Goodwin, Administrative Officer, Grade 523E, \$2,743.12 biweekly in the Div. of Environmental Services, effective August 14, 2022.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement for residential park property with the following individual for the listed property in consideration of the sum stated in annual rent: Teresa Jill Farmer for 3401 Shamrock Lane, \$8,424.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Strategic Funding Group, Inc. for assistance in preparing the FY 2022 HUD Continuum of Care Supplemental Grant Application, at a cost not to exceed \$7,500, to be paid with funds awarded under the American Rescue Plan Act of 2021 (ARPA).

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with OVG Facilities, L.P., as agent on behalf of Lexington Center Corporation, for use of space at Central Bank Center for the 2023 State of the City Address.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Fayette County Public Schools, for transportation services with the Family Care Center, at a cost not to exceed \$92,521.44.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement (awarded pursuant to RFP No. 40-2022) with Stantec Consulting Services, Inc., for an update to the 2021 Existing Conditions and Growth Trends Report, a component of the Sustainable Growth Study, at a cost not to exceed \$50,000.

A Resolution approving and adopting a Solid Waste Management Plan for Lexington Fayette County for 2023-2027, pursuant to KRS 224.43-340.

A Resolution authorizing the Div. of Police to purchase licenses for software to access files and create reports on mobile devices from Cellebrite Inc., a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to

execute any necessary Agreements with Cellebrite Inc. Related to the procurement, at a cost not to exceed \$8,600.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Bureau of Alcohol, Tobacco, Firearms and Explosives, for reimbursement of overtime salary and other costs.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Transportation Cabinet to accept a Grant of \$355,656.01 in Federal funds from the Ky. Transportation Cabinet Transportation Alternatives Program (TAP) (\$43,656.01) and the Ky. Transportation Cabinet Surface Transportation Program (SLX) (\$312,000.00), for the construction phase of the Rosemont Garden Sidewalk Project, the acceptance of which obligates the Urban County Government to the expenditure of \$88,914.00 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution accepting ownership and maintenance of portions of state maintained roadways located on Georgetown Rd., Leestown Rd., Newtown Pike, Citation Boulevard, and Liberty Todds Rd., as well as portions of other state supplemental roads and other road facilities, upon successful completion of certain maintenance tasks by the Ky. Transportation Cabinet.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to a Grant Agreement with the Bluegrass Area Development District, Inc., to incorporate an increase of \$33,507.30 in Commonwealth of Ky. funds and a decrease of \$34,028.50 in Federal funds, for the Senior Citizens Center in FY 23, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution expressing the intent to accept the following private streets as public streets pursuant to the Private Street Acceptance Policy: Warrenton Circle, Warrenwood Wynd, Meganwood Circle, Hobclaw Lane, and Honeyhill Lane, acceptance of which is contingent upon completion of street improvements to bring the streets to an acceptable public street standard and the recording of amended final record plats to dedicate the streets as public, to provide for maintenance of existing traffic islands, and to provide for

maintenance of stormwater management features, all within one year from the passage of this Resolution.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Transportation Cabinet to accept a Grant of \$480,000 in Federal funds from the Ky. Transportation Cabinet Surface Transportation Program (SLX), for the design phase of the North Limestone Improvements Project, the acceptance of which obligates the Urban County Government to the expenditure of \$120,000 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Agreement with Pace Contracting for the Splash! at Charles Young Park Construction Project, increasing the Contract price by \$162,663.18 and raising the total Contract price from \$1,249,200.00 to \$1,411,863.18.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Dept. of Military Affairs, Div. of Emergency Management, in order to accept \$1,077,860 in Federal funds, awarded under the FY 2022 Chemical Stockpile Emergency Preparedness Program (CSEPP) for the purpose of protecting the community and enhancing emergency response in case of chemical accidents during and after destruction of the chemical weapons stockpile at the Bluegrass Army Depot, the acceptance of which does not obligate the Urban County Government to 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 Agreements with Palomar Hills Community Association (\$500), Lady Vets Connect, Inc. (\$2,700), Exhilarating, Inc. (\$1,000), Sisters & Supporters (\$700), Phoenix Rising Lex (\$550), Ky. Distinguished Young Women (\$1,250), Ky. Humanities Council (\$1,850), and Ky. Theatre (\$1,750), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution recommending adoption of the Lexington Sustainable Growth Study ("Study") in furtherance of the Goals and Objectives of Imagine Lexington, the 2018

Comprehensive Plan, and requesting that the Div. of Planning utilize the study data when developing recommendations for the Goals and Objectives for the 2023 Comprehensive Plan.

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Upon motion by Mr. McCurn, seconded by Ms. Reynolds, and approved by unanimous vote, A Resolution formally requesting a Product Development Initiative Grant (“Grant”) in the amount of \$2,000,000 on behalf of the Lexington-Fayette Urban County Industrial Authority for Legacy Business Park Improvements, and authorizing and directing the Mayor, or her designee, on behalf of the Urban County Government, to execute any necessary documents related to the Grant; to accept the Grant and distribute the Grant funds to Lexington-Fayette Urban County Industrial Authority, if necessary, upon award of the Grant; and to take any further action necessary related to the Grant received first reading.

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

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

Aye:	Baxter, F. Brown, J. Brown, Ellinger, Kay, Kloiber, Lamb, LeGris, Moloney, Reynolds, Sheehan, Worley	-----12
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Nay:		-----0
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Absent:	Bledsoe, McCurn	
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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Contract (awarded pursuant to RFP No. 45-2022) with GRW, for topographic services to survey the Cardinal Run Park North property, at a cost estimated not to exceed \$28,870 received first reading.

Upon motion by Mr. F. Brown, seconded by Vice Mayor Kay, and approved by majority vote (Ms. Bledsoe was absent), the rules were suspended and the resolution received second reading.

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

Aye: Baxter, F. Brown, J. Brown, Ellinger, -----12
Kay, Kloiber, Lamb, LeGris, Moloney,
Reynolds, Sheehan, Worley

Nay: -----0

Absent: Bledsoe, McCurn

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with A Caring Place, Inc. (\$500), Refuge for Woman, Inc. (\$500), Lexington History Museum (\$500), Lexington Housing for the Handicapped, Inc. (\$500), Vineyard Neighborhood Cooperation (\$500), Wyndham Meadows HOA (\$500), Winburn Neighborhood Association (\$150), 16th District PTA c/o Winburn Middle School (\$150), Green Acres (\$200), 16th District PTA c/o Russell Cave Elementary (\$400), Andover Forest HOA (\$1,250), Joyland Neighborhood Association (\$1,250), Brighton East HOA, Inc. (\$1,250), Eastland Parkway Neighborhood Association (\$1,250), Lexington Lions Club, Inc. (\$500), and Acclivity Dance & Performing Arts, LLC. (\$800), for the Office of the Urban County Council, at a cost not to exceed the sums stated received first reading.

Upon motion by Ms. Lamb, seconded by Mr. McCurn, and approved by majority vote (Ms. Bledsoe was absent), the rules were suspended and the resolution received second reading.

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

Aye: Baxter, F. Brown, J. Brown, Ellinger, -----12
Kay, Kloiber, Lamb, LeGris, Moloney,
Reynolds, Sheehan, Worley

Nay: -----0

Absent: Bledsoe, McCurn

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The following resolutions received first reading and were ordered to be placed on file for public inspection until September 22, 2022:

A Resolution ratifying the Permanent Classified Civil Service Appointments of: Tara Chenault, Administrative Specialist Sr., Grade 516N, \$21.562 hourly in the Div. of Revenue, effective August 28, 2022, Jada Griggs, Program Manager Sr., Grade 524E, \$3,010.80 biweekly in the Div. of Environmental Services, effective August 28, 2022, Zachary Prewitt, Arborist, Grade 517N, \$25.875 hourly in the Div. of Environmental Services, effective August 28, 2022.

A Resolution specifying the intention of the Urban County Council to expand and extend the Full Urban Services District #1 to provide street lighting, street cleaning, and garbage and refuse collection; finding a need for this service in the area included; and finding the ability of the Urban County Government to provide this service in this area, which area is defined as certain properties on the following streets: Bay Springs Park; Buttermilk Rd.; Case Way; Cattle Path; Feathersound Way; Foster Dr.; Hailey Rose Way; Hollow Creek Rd.; Huntly Place; Mountjoy Place; Night Heron Way; Silver Springs Dr.; Squires Circle; Squirrel Nest Lane; Stolen Horse Trace; and Tanksley Way.

A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #3 to provide garbage and refuse collection; finding a need for this service in the area included; and finding the ability of the Urban County Government to provide this service in this area, which area is defined as certain properties on the following streets: Cocos Way; Silver Springs Circle; Silver Springs Way; Waldorf Lane; and William Astor Lane.

A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #5 to provide street lighting and garbage and refuse collection; finding a need for this service in the area included; and finding the ability of the Urban County Government to provide this service in this area, which area is defined as certain properties on the following streets: Lansdowne Dr.; Pindell Court; Vicksburg Rd.; and Wedgewood Court.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Cerner Corporation for Medication History Inquiry Services for the inmate population, for the Div. of Community Corrections, at a cost not to exceed \$16,800.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Ohio Task Force One National Urban Search and Rescue, to add three new Div. of Fire members.

A Resolution establishing Henry P. Thompson Co. as a sole source provider of Boerger replacement parts for sludge pumps for the Div. of Water Quality, and authorizing the Mayor, or her designee, on behalf of the Urban County Government, to execute any necessary agreements with Henry P. Thompson Co. related to the procurement of these goods, at a cost not to exceed \$22,759.34.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with AVOL Ky., Inc., for the lease of Urban County Government property located at 851 Todds Rd.

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 in order to move remaining funds to the Construction Phase of the Town Branch Trail Commons Project.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Five (5) to the Agreement with L-M Asphalt Partners d/b/a ATS Construction, for the Town Branch Trail Phase 6, increasing the Contract price by \$240,937.98 and raising the total Contract price from \$4,633,109.27 to \$4,874,047.25.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Agreement with the U.S. Dept. of Housing and Urban Development (HUD) under the HOPWA CV (Housing Opportunities for Persons with Aids) Grant Program, in order to shift funding from one eligible program activity to another, and further authorizing the Mayor to execute any other necessary amendments related to this Agreement.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a first addendum to the Agreement with Mackey Group, LLC d/b/a Wiser Strategies, for creative design services for public outreach and media campaigns for the Div. of Environmental Services, expanding the scope of the Agreement to provide for

additional services for public outreach related to the vacuum leaf collection program, and increasing the Contract price by the sum of \$10,000, from \$50,000 to \$60,000.

A Resolution authorizing the Dept. of General Services to purchase a Ferno Inx Stretcher from Ferno, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Ferno, related to the procurement, at a cost not to exceed \$41,460.

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Upon motion by Mr. Ellinger, and seconded by Vice Mayor Kay, the Communications from the Mayor were approved by majority vote (Ms. Bledsoe and Mr. McCurn were absent) and were as follows: (1) Recommending the appointment of Laura Boison to the Affordable Housing Governing Board, with term expiring October 23, 2026; (2) Recommending the appointment of Alyssa Mattingly, filling the unexpired term of Brenda Mannino, to the Human Rights Commission, with term expiring January 1, 2024; (3) Recommending the appointments of Kip Cornett and Sherita Miller to the Lexington Center Corporation, both with terms expiring July 1, 2026; and, (4) Recommending the appointment of Cathy Taylor, filling the unexpired term of Dee Dee Harbut, to the Parking Authority Board, with term expiring June 1, 2023.

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The following Communications from the Mayor were received for information only: (1) Probationary Classified Civil Service Appointment of Jamie Lankford, Maintenance Mechanic, Grade 515N, \$20.813 hourly in the Div. of Water Quality, effective September 19, 2022; (2) Probationary Classified Civil Service Appointment of Andrew Shuck, Safety and Loss Control Specialist, Grade 520E, \$2,384.64 biweekly in the Div. of Human Resources, effective September 1, 2022; (3) Probationary Classified Civil Service Appointment of Christina Davenport, Administrative Specialist Principal, Grade 518E, \$1,928.48 biweekly in the Div. of Police, effective September 12, 2022; (4) Probationary Classified Civil Service Appointment of Sarah Harsch, Certified Social Worker, Grade 518E, \$1,922.26 biweekly in the Div. of Youth Services, effective September 12, 2022; (5) Classified Civil Service Lateral Transfer of Camille Brann, Administrative Specialist Sr., Grade 516N, \$23.379 hourly in the Div. of Computer Services, effective September 12, 2022; (6) Resignation of Kevin Varney, Safety Officer, in the Div. of Police, effective

July 31, 2022; (7) Resignation of Maria Lundin, Environmental Inspector, in the Div. of Water Quality, effective August 5, 2022; (8) Resignation of Michael Hagan, Police Officer, in the Div. of Police, effective August 13, 2022; (9) Resignation of Kristan Curry, Planner Sr., in the Div. of Environmental Services, effective August 30, 2022; (10) Resignation of Nicole Smith, Customer Account Specialist Sr., in the Div. of LexCall, effective August 10, 2022; (11) Resignation of Robert Craig, Public Service Worker, in the Div. of Parks and Recreation, effective August 22, 2022; (12) Resignation of Shaun Denney, Budget Analyst Sr., in the Council Office, effective August 26, 2022; (13) Resignation of Baird Carey, Skilled Traders Worker, in the Div. of Facilities and Fleet Management, effective July 31, 2022; (14) Resignation of Kaitlyn Lloyd, Police Officer, in the Div. of Police, effective August 3, 2022; (15) Resignation of Jazdon Gambrel, Police Officer, in the Div. of Police, effective August 3, 2022; and, (16) Resignation of Donald Garrison, Information Security Engr. Sr., in the Div. of Information Technology, effective August 19, 2022.

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Chief Lawrence Weathers, Div. of Police, presented a disciplinary matter regarding Officer Kyle Blankenship. An allegation has been made that Officer Blankenship has committed the offense of Processing Property and Evidence & Misconduct which constitutes misconduct under the provisions of KRS 95.450 and/or KRS 15.520 and General Order 1973-02K Disciplinary Procedures of Sworn Officers Section 1.17 and Section 1.02 in that on the 5th day(s) of May, 2022 he/she allegedly:

- (1) On May 5, 2022 Officer Kyle Blankenship shopped his assigned vehicle at Fleet Services for routine maintenance. Several items of drug paraphernalia, narcotics, and personal items of other subjects were located inside a box in the trunk of the vehicle. The items were obtained from investigations that did not result in criminal charges, but he failed to book the property as required by General Order 1991-13M Property and Evidence Procedures which states: "Every item of property and evidence coming into an employee's custody as a result of their official duties will be placed under the control of Property and Evidence Unit before the employee goes off duty."

A review of Officer Blankenship's activity since January 1, 2022 revealed additional policy violations related to Property and Evidence Procedures,

Search Records and Body Worn Camera procedures. The combination of these incidents are a violation of the disciplinary policy – 1.02 Misconduct which states:

“Officers shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the department and to not cast doubt on the officer’s integrity, honesty, judgment or character.”

The appropriate punishment for this conduct is Three (3) month suspension without pay.

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

Ms. Reynolds asked how the duration of the punishment was determined. Chief Weathers responded.

Mr. J. Brown asked if the officer would be required to complete additional training before his return to the force. Chief Weathers responded.

Ms. LeGris inquired if the officer in question had, in fact, already received training in association with his charges, and requested elaboration on what steps would be implemented upon the officer’s return. Chief Weathers responded

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Ms. Reynolds corrected an event announcement made at the September 6, 2022 Work Session and clarified that the Oxford Circle Block Party would be held on Saturday, September 17, 2022.

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Mr. J. Brown encouraged residents to attend the Roots and Heritage Festival, September 9 – 11, 2022, located at the corner of 3rd St. and Elm Tree Lane; and A Night for the Nest Gala, Saturday September 10, 2022, at 7:00 p.m., located at the Longship Club at Kroger Field.

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Mr. Kloiber spoke about recent acts of gun violence in the City and called for new public safety policies. He spoke about the versatility of the Group Violence Intervention (GVI) and, while acknowledging the expanded focus on the retention and recruitment of

public safety officers, he emphasized the need for discussion, collaboration and long-term planning.

Mayor Gorton asked Mr. Kloiber if he had spoken with Chief Weathers in regards to the details of the previous night's shootings. Mr. Kloiber responded. Mayor Gorton encouraged Mr. Kloiber to reach out to Chief Weathers for more information regarding the incident. She shared that her administration had researched GVI, and after conversations with multiple cities that had implemented the strategy, and reviewing the collected data, they did not find it was effective in lowering homicides. Mr. Kloiber and Mayor Gorton discussed the type of data in consideration. Mayor Gorton stated that the previous night's acts of gun violence could not have been prevented by the Police. Mr. Kloiber restated the need for policy change.

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At 7:08 p.m., Mr. J. Brown departed the meeting.

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Mr. F. Brown read a constituent's email concerning the Police and Fire non-emergency phone lines going unanswered. Comm. Ken Armstrong, Dept. of Public Safety, acknowledged staffing issues and shared the protocol for answering the lines. Mr. F. Brown inquired about possible solutions, including answering machines or messages. Comm. Armstrong responded.

Mr. F. Brown asked for an update on the compensation study. Dir. Tammy Walters, Div. of Human Resources, responded. Mr. F. Brown inquired if the Div. of Police was included in the study. Dir. Water responded.

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Mr. Moloney requested clarification on when residents should be calling the non-emergency lines. Comm. Armstrong responded. He inquired for the number of vacant positions in the Div. of Enhanced 911. Comm. Armstrong responded.

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Dottie Bean, Council District 8, spoke about crime in Lexington.

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James Woodhead, Council District 10, spoke about crime in Lexington and public safety funding.

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Jessica Bowman, Council District 9, spoke about communication with City Government, public safety funding, and crime in Lexington.

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Tom Dupree, Council District 4, spoke about city spending and public safety funding.

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Chad Sturgill, District 12, concurred with Mr. Duprees' remarks, and spoke about crime in Lexington.

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Upon motion by Ms. Baxter, seconded by Ms. LeGris, and approved by majority vote (Ms. Bledsoe, Mr. J. Brown and Mr. McCurn were absent), the meeting adjourned at 7:33 p.m.

Deputy Clerk of the Urban County Council