

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky October 14, 2021

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on October 14, 2021 at 6:00 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the Council: J. Brown, Ellinger, Kay, Kloiber, Lamb, LeGris, McCurn, Moloney, Plomin, Reynolds, Worley, Baxter, Bledsoe, and F. Brown. Absent was Council Member Sheehan.

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

Ordinances No. 91-2021 through 93-2021, inclusive, and Resolutions No. 509-2021 through 546-2021, inclusive, were reported as having been signed and published and ordered to record.

* * *

The Invocation was given by Imam Ihsan Bagby of Masjid Bilal Ibn Rabah.

* * *

Upon motion by Mr. Ellinger, seconded by Ms. Plomin, and approved by unanimous vote, the Minutes of the September 30, 2021 Council Meeting were approved.

* * *

Mayor Gorton asked Bob Quick, President and CEO of Commerce Lexington, to join her at the podium, along with a representative from Crank and Boom Ice Cream, Guide Realty, Peer House and non-profit Lexington Rescue Mission, and read a Proclamation declaring October 14, 2021 as Salute to Small Business and Non Profit Day in Lexington. She spoke about the history and mission of each of the 2021 Small Business of the Year winners.

Mr. Quick spoke of the importance of recognizing the impact the small businesses have in the Lexington community. He encouraged the Council to speak to the business owners and hear the stories of how their businesses were built.

Mayor Gorton pointed out that the representatives from each of the businesses were women.

Mr. Ellinger also encouraged others to listen to the owners' stories and congratulated the award winners.

*

*

*

Mayor Gorton asked Ms. Plomin to join her at the podium, along with Darlene Thomas, Executive Director of Greenhouse17, and read a Proclamation declaring October 2021 as Domestic Violence Awareness and Prevention Month in Lexington. She spoke about the City's resources for Domestic Violence victims, including the Domestic and Sexual Violence Prevention Coalition, the Dept. of Social Services Domestic and Sexual Violence Prevention Coordinator, Stephanie Theakston, and community partner, non-profit Greenhouse17.

Ms. Thomas expressed gratitude for the survivors and community members who hold significant roles in helping Greenhouse17 continue their mission. She recognized the Urban County Council, United Way and Kentucky Coalition Against Domestic Violence for their contributions, leadership, vision and commitment to establishing Greenhouse17 in 2004. Ms. Thomas asked everyone to participate in Purple Thursday, on October 21, 2021, and wear purple to identify yourself as an advocate for survivors and raise awareness about domestic violence.

Ms. Plomin recalled witnessing Greenhouse17 establish and grow in the community and Ms. Thomas' dedication to her passion.

*

*

*

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

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

Nay: -----0

An Ordinance changing the zone from a Single Family Residential (R-1D) zone to a Neighborhood Business (B-1) zone, for 0.53 net (0.62 gross) acre, for property located at 355 American Ave. (Bluegrass Custard, LLC; Council District 3).

An Ordinance amending the Schematic Landscape Plan portion of Ordinance No. 213-83, the Richmond Rd. Landscape Ordinance, so as to allow a privacy fence along the Richmond Rd. frontage to the properties 3604 through 3672 Green Park Ct.

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 2022 Schedule No. 12.

An Ordinance repealing Ordinance No. 22-79, pertaining to the Mayor's authority to transfer the unencumbered balance of Grants, and providing that the Mayor may, upon specific authorization by Ordinance or Resolution, transfer the unencumbered balance of any account within the same Grant Budget so long as the scope and intent of the Grant is not significantly changed.

* * *

An Ordinance amending the authorized strength by abolishing one (1) unclassified position of Service Writer, Grade 510N, and creating one (1) classified position of Fleet Parts Specialist, Grade 510N, all in the Div. of Facilities and Fleet Management, effective upon passage of Council received first reading.

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

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

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

Nay: -----0

* * *

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

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to provide funds for purchase orders rolling from FY 2021 into FY 2022, and appropriating and re-appropriating funds, Schedule No. 13.

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 2022 Schedule No. 14.

An Ordinance amending the authorized strength by abolishing one (1) vacant classified position of Social Worker Sr., Grade 517E, and creating one (1) classified

position of Certified Social Worker, Grade 518E, in the Div. of Youth Services, effective upon passage of Council.

An Ordinance amending Articles 1-11, 3-12(a)-(o), 5-4(a)(2), 8-5(c)(10), 8-5(d)(14), 8-9(c)(9), 8-10(c)(9), 8-12(c)(1), 22B-3(8), 23-3(d), 23A-5(c) and 23A-5(d)(10) of the Zoning Ordinance to include general zoning provisions for the incorporation and regulation of Accessory Dwelling Units (ADU's). (LFUCG Planning Commission).

*

*

*

A Resolution authorizing and directing the Mayor and the Dept. of Finance, on behalf of the Urban County Government, to set aside and allocate up to \$15 million in funding from the American Rescue Plan Act for certain qualified employees was on the docket to receive second reading.

Mr. Kloiber moved to separate the resolution for the vote. The motion was seconded by Mr. Moloney, and failed by majority vote (Mr. J. Brown, Ms. Lamb, Mr. McCurn, Ms. Plomin, Ms. Reynolds, Ms. Baxter, Ms. Bledsoe and Mr. F. Brown voted no).

Mr. Kloiber read a statement about his decision to amend the resolution.

Mr. Kloiber moved to amend the resolution to reflect \$80 million in funding from the American Rescue Plan Act to be allocated equally between qualified employees, both public and private. The motion was seconded by Mr. Moloney, and failed by majority vote (Mr. J. Brown, Mr. Ellinger, Vice Mayor Kay, Ms. Lamb, Ms. LeGris, Mr. McCurn, Ms. Plomin, Ms. Reynolds, Mr. Worley, Ms. Baxter, Ms. Bledsoe, and Mr. F. Brown voted no).

Mr. Moloney spoke in support of the amendment.

Mr. Ellinger asked Chief Administrative Officer Sally Hamilton how much each individual employee would receive out of the \$15 million. CAO Hamilton responded. Mr. Ellinger clarified the estimated number of employees that would qualify for the premium pay, and inquired about sworn personnel versus non-sworn personnel. CAO Hamilton responded. Mr. Ellinger asked Mr. Kloiber how many individuals would be included in his proposed amendment to \$80 million. Mr. Kloiber responded. Mr. Ellinger asked if the intention was to be akin to a stimulus check of approximately \$1,000 per individual. Mr. Kloiber responded.

Mr. F. Brown elaborated that those who were included in the original resolution language were those employees who fit under the American Rescue Plan Act essential

worker criteria. He acknowledged that there were many other government essential workers who did not fit the criteria but were still deserving of premium pay. Mr. F. Brown emphasized that there was ongoing discussion regarding premium pay for those employees, as well as some private, that would be determined on a later date.

Mr. Ellinger asked about employees of private businesses who may work in Lexington but live in another city. Mr. Kloiber responded.

Mr. Kloiber restated his intention with the motion.

The resolution received second reading.

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

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

Nay: -----0

*

*

*

A Resolution accepting the bid of MAC Construction & Excavating, Inc., in the amount of \$3,309,000, for the Liberty Rd. Trunk Sewer Wastewater System Improvements, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Lexington Fayette Urban County Government, to execute an Agreement with MAC Construction & Excavating, Inc., related to the bid was on the docket to receive second reading.

Upon motion by Mr. Kloiber, seconded by Mr. Ellinger, and approved by unanimous vote, the resolution was removed from the docket.

Mr. F. Brown asked Dir. Charlie Martin, Div. of Water Quality, about the reason for the removal. Dir. Martin responded.

*

*

*

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two (2) to the Contract with ATS construction for the Town Branch Trail Phase 6, increasing the Contract price by the sum of \$239,388.75 from \$3,908,798.25 to \$4,148,187.00 received second reading.

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

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

Nay: Moloney -----1

*

*

*

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

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

Nay: -----0

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: Angus Trail, Barleys Pass, Bobwhite Ct., Calendula Rd., Case Way, Clematis Way, Cosimo Way, Dawson Springs Way, Feathersound Way, Feliciana Ln., Forest Hill Dr., Foster Dr., Hailey Rose Way, Hollyhock Dr., Lorenzo Way, Peninsula Way, Piero Way, Sandersville Rd., Silver Springs Dr., Snowy Egret Way, Squires Circle, Sunny Landing Trail, Tanksley Way, and Windflower 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 street: Livingston 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: Aberdeen Dr., Brigadoon Pkwy., Brookview Dr., Greenbriar Rd., Jesselin Dr., Starling Dr., Wallace Ct., and Woodstock Circle.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Bluegrass Disc Golf Association to formalize the partnership between Bluegrass Disc Golf Association (BGDG) and LFUCG Div. of Parks and Recreation that provides volunteer maintenance services to Lexington's disc golf courses, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Lexington Fayette County Health Dept. for the First Responders and Community Partners Overdose Prevention Project, funded under the U.S. Dept. of Health and Human Services First Responders - Comprehensive Addiction and Recovery Act Grant Program, at a cost not to exceed \$261,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an agreement with the University of Ky. Research Foundation, for the provision of Evaluation Services for Year 4 of the First Responders and Community Partners Overdose Prevention Project, at a cost not to exceed \$102,109.

A Resolution authorizing the Mayor, on behalf of the Lexington Urban County Government, to execute a five year maintenance Agreement with JailTracker for maintenance to the inmate information management system, at a cost not to exceed \$100,836.01 in Fiscal Year 2022.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute agreements with East End Community Development Corp. (\$300) and KY Veterans Hall of Fame, Inc. (\$650), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution accepting the bid of Environmental Remediation Contractor, LLC, in the amount of \$143,753, for the Cane Run Bank Stabilization Program, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with environmental remediation Contractor, LLC, related to the bid.

A Resolution accepting the bid of MAC Construction & Excavating, Inc., in the amount of \$3,309,000, for the Liberty Rd. Trunk Sewer Wastewater System

Improvements, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Lexington Fayette Urban County Government, to execute an Agreement with MAC Construction & Excavating, Inc., related to the bid.

A Resolution accepting the bid of Judy Construction Co., in the amount of \$3,427,000.00, for the West Hickman Waste Water Treatment Plant Dewatering Improvements (2 Centrifuges), for the Div. of Water Quality, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Judy Construction Co. related to the bid.

A Resolution accepting the bid of Foster Supply, Inc., establishing a price contract for Tactile Warning Tiles, for the Div. of Streets and Roads.

A Resolution accepting the bid of MAC Construction & Excavating, Inc., in the amount of \$2,800,000, for the Peachtree Rd. Woodhill Dr. Stormwater Improvements, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Lexington Fayette Urban County Government, to execute an Agreement with MAC Construction & Excavating, Inc., related to the bid.

A Resolution ratifying the Permanent Classified Civil Service Appointments of: Everett Hampton, Skilled Trades Worker, Grade 515N, \$21.737 hourly in the Div. of Facilities and Fleet Management, effective September 29, 2021, Christopher Lalumandier, Skilled Trades Worker, Grade 515N, \$22.660 hourly in the Div. of Facilities and Fleet Management, effective September 22, 2021, Danielle Sanders, Dir. of Community and Resident Services, Grade 527E, \$3,106.08 biweekly in the Div. of Community and Resident Services, effective August 16, 2021.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with Central Ky. Sprinkler, Inc., in order to update the fire suppression system at Tates Creek Community Center, increasing the Contract price by the sum of \$2,830.00 from \$116,000 to \$118,830.

A Resolution establishing Burdine Security Group as a sole source provider for installing and performing repairs on security systems for LFUCG owned buildings, for the Div. of Facilities and Fleet Management, and authorizing the Mayor or designee, on behalf of the Urban County Government, to execute any necessary Agreements with Burdine Security Group related to the procurement of these goods and services.

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 \$91,662.99.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Lexington Housing Authority, authorizing the acceptance of sanitary sewer and storm sewer infrastructure for the Bluegrass-Aspendale Development and providing for payment of the sum of \$399,000 to the Urban County Government for remediation of sanitary sewer and storm sewer infrastructure.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Drug Enforcement Administration, for participation in the Tactical Diversion Squad Task Force.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Drug Enforcement Administration, for participation in the Program Funded State & Local Task Force.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Drug Enforcement Administration, for participation in the Provisional State & Local Task Force.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation of \$3,500 from Michael and Allison Johnson for a memorial bench in Harrods Hill Park for Michael Johnson, and \$40 toward a memorial tree.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Management Agreement with the Friends of the Ky. Theatre for the operation and management of the Ky. and State Theaters, for a term of one year, renewable for four (4) additional one year terms.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Dept. of Education/Div. of School and Community Nutrition, 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 \$79,000 in Federal funds, for the provision of breakfast, lunch, and supplements at free and reduced rates to infants and toddlers attending the

Family Care Center's child care and pre-school programs, 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 accepting the bid of Olympic Construction LLC, in the amount of \$174,400, for Fleet Services Heavy Duty Concrete Replacement, for the Div. of Facilities and Fleet Management, and authorizing the Mayor, on behalf of the Lexington Fayette Urban County Government, to execute an Agreement with Olympic Construction LLC, related to the bid received first reading.

Upon motion by Ms. Lamb, seconded by Mr. Ellinger, and approved by unanimous vote, 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: J. Brown, Ellinger, Kay, Kloiber, Lamb, -----14
LeGris, McCurn, Moloney, Plomin,
Reynolds, Worley, Baxter, Bledsoe, F.
Brown

Nay: -----0

* * *

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

A Resolution accepting the bid of Cleary Construction, Inc., in the amount of \$1,017,865 for Southland Park Stormwater Improvements, for the Div. of Water Quality.

A Resolution accepting the bid of MAC Construction & Excavating, Inc., in the amount of \$935,000, for the River Park Pump Station Replacement Project, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Lexington Fayette Urban County Government, to execute an Agreement with MAC Construction & Excavating, Inc., related to the bid.

A Resolution accepting the bid of Alliance Comfort Systems, Inc., in the amount of \$116,670, for the Walk-In Cooler System Replacement Project, for the Div. of Community Corrections, and authorizing the Mayor, on behalf of the Lexington Fayette Urban County Government, to execute an Agreement with Alliance Comfort Systems, Inc., related to the bid.

A Resolution accepting the bids of Accuprint, Inc.; Copy Express; Warner's Printing Service LLC; Elite Graphics LLC; Thoroughbred Printing; Innovative Business Concepts, Inc.; PrintLex LLC; and SouthEast Printing & Mailing, establishing price contracts for Printing Services, for the Div. of Environmental Services.

A Resolution accepting the bid of All Pro Lawn and Landscaping, establishing a price contract for Snow Removal, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Brownfields Development LLC, establishing a price contract for Mowing for Haley Pike, for the Div. of Waste Management.

A Resolution accepting the bid of Duke's Root Control, Inc., establishing a price contract for Sewer Line Chemical Root Control, for the Div. of Water Quality.

A Resolution accepting the bid of Midland Radio Corporation, establishing a price contract for Weather Alert Radios, for the Div. of Emergency Management.

A Resolution initiating for Planning Commission review and recommendation the re zoning of approximately two hundred (200) acres of property located at 2850 Georgetown Rd. and 1490 Bull Lea Rd. from an Agricultural Urban (A-U; 56.33 acres net/63.17 acres gross) zone, an Agricultural Rural (A-R; 136.26 acres net/172.26 acres gross) zone and a University Research Campus (P-2; 7.41 acres net/gross) zone to a Light Industrial (I-1) zone.

A Resolution changing the property street names of 1917 Westmeath Pl. to 1937 Westmeath Pl., 413-415 Johnson Ave. to 415 Johnson Ave., 1665 Margate Dr. PVA 19302460 to 1667 Margate Dr., 1681 Margate Dr. PVA 19302500 to 1683 Margate Dr., and changing the street name and property address number of 407 Douglas Ave. to 705 Chiles Ave., 373 Linden Walk to 307 Euclid Ave., all effective thirty (30) days from passage.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easement, releasing a utility easement on the properties located at 406 Gibson Ave., 410 Gibson Ave., and 1207 South Broadway.

A Resolution ratifying the Mayor's prior execution of an Agreement with the United States Dept. of Housing and Urban Development (HUD) for the acceptance of an award of \$4,865,246 in Federal funds under the American Rescue Plan Act of 2021, in order to provide housing and supporting services to vulnerable populations, the acceptance of

which does not obligate the Urban County Government to the expenditure of funds, and authorizing and directing the Mayor to submit an allocation plan to HUD and to provide any additional information requested by HUD in connection with that allocation plan, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the University of Ky., for paramedic clinical training.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement, and/or to amend an existing Agreement, with Management Registry, Inc., in order to continue providing support staff for the Chemical Stockpile Emergency Preparedness Program (CSEPP), at a cost not to exceed \$223,000 in FY 2022.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with Saddle Club Subdivision HOA, Inc. (\$500), FDHS Swim and Dive Boosters, Inc. (\$600), Georgetown Street Area NA, Inc. (\$500), Share Center Lexington, Inc. (\$1,600), Ky. Refugee Ministries, Inc. (\$1,175), the Larry Gilbert-Dave Bunnell Foundation, Inc. (\$950), and CASA of Lexington (\$1,000), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

*

*

*

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 appointment of Kacy Allen Bryant, Mayor's Designee, replacing Chris Ford, to the Board of Health with term expiring December 31, 2022; (2) Recommending the appointment of Kacy Allen Bryant, Comm. of Social Services, Ex officio, replacing Chris Ford, to the Domestic and Sexual Violence Prevention Coalition, with a term expiring N/A; (3) Recommending the appointment of Skylar Temple, District 12 Resident, to the Environmental Commission with term expiring October 1, 2025; (4) Recommending the appointment of Kacy Allen Bryant, Comm. of Social Services, Ex officio, replacing Chris Ford, to the Mayor's International Affairs Advisory Commission, with a term expiring N/A; and (5) Recommending the appointment of Kacey Allen Bryant,

Comm. of Social Services, Ex officio, replacing Chris Ford, to the Social Services Advisory Commission, with a term expiring N/A.

*

*

*

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

(1) Probationary Classified Civil Service Appointment of Chenice Ganns, Trades Worker Sr., Grade 511N, \$16.264 hourly in the Div. of Streets and Roads, effective, October 18, 2021; (2) Probationary Classified Civil Service Appointment of Christopher Garnett, Equipment Operator, Grade 510N, \$17.236 hourly in the Div. of Streets and Roads, effective October 4, 2021; (3) Probationary Classified Civil Service Appointment of Robert Lewis, Public Service Worker Sr., Grade 509N, \$14.308 hourly in the Div. of Streets and Roads, effective October 4, 2021; (4) Probationary Classified Civil Service Appointment of Christopher Dent, Engineering Section Manager, Grade 530E, \$3,653.85 biweekly in the Div. of Water Quality, effective October 11, 2021; (5) Probationary Classified Civil Service Appointment of Christopher Holtzclaw, Project Manager, Grade 517E, \$1,893.28 biweekly in the Div. of Water Quality, effective October 11, 2021; (6) Probationary Classified Civil Service Appointment of Omer Cowherd, Public Service Supervisor Sr., Grade 517N, \$23.741 hourly in the Div. of Water Quality, effective October 25, 2021; (7) Probationary Classified Civil Service Appointment of Kari Hogan, Laboratory Technician, Grade 513N, \$17.390 hourly in the Div. of Water Quality, effective October 25, 2021; (8) Probationary Classified Civil Service Appointment of Andre Ingram, Equipment Operator, Grade 510N, \$16.670 hourly in the Div. of Water Quality, effective October 4, 2021; (9) Probationary Classified Civil Service Appointment of Jesse Henderson, Resource Recovery Operator, Grade 513N, \$18.200 hourly in the Div. of Waste Management, effective October 25, 2021; (10) Probationary Classified Civil Service Appointment of Mario Cheek, PSAP Manager, Grade 521E, \$2,405.60 biweekly in the Div. of Enhanced 911, effective October 4, 2021; (11) Probationary Classified Civil Service Appointment of Barry Lindsay, Safety Officer, Grade 511N, \$17.614 hourly in the Div. of Police, effective November 8, 2021; (12) Probationary Classified Civil Service Appointment of Kenneth Isaacs, Safety Officer, Grade 511N, \$16.325 hourly in the Div. of Police, effective November 8, 2021; (13) Probationary Classified Civil Service Appointment of Roy Blackburn, Safety Officer, Grade 511N, \$16.194 hourly in the Div. of Police, effective

November 8, 2021; (14) Probationary Classified Civil Service Appointment of Jeffery Brown, Safety Officer, Grade 511N, \$17.614 hourly in the Div. of Police, effective November 8, 2021; (15) Probationary Classified Civil Service Appointment of David Drummond, Safety Officer, Grade 511N, \$16.233 hourly in the Div. of Police, effective November 8, 2021; (16) Probationary Classified Civil Service Appointment of Dawnrisha Talbott, Educational Program Aide, Grade 508N, \$15.216 hourly in the Div. of Youth Services, effective October 25, 2021; (17) Probationary Classified Civil Service Appointment of Matthew Matteola, Heavy Equipment Technician, Grade 518N, \$22.195 hourly in the Div. of Facilities and Fleet Management, effective October 11, 2021; (18) Probationary Classified Civil Service Appointment of Clarence Miller, Fleet Parts Specialist, Grade 510N, \$16.776 hourly in the Div. of Facilities and Fleet Management, effective October 25, 2021; (19) Probationary Classified Civil Service Appointment of Claude Lewis, Custodial Worker, Grade 505N, \$12.309 hourly in the Div. of Facilities and Fleet Management, effective October 25, 2021; (20) Probationary Classified Civil Service Appointment of Hannah Crepps, Planner, Grade 517N, \$23.558 hourly in the Div. of Planning, effective October 18, 2021; (21) Probationary Classified Civil Service Appointment of Daniel Crum, Planner, Grade 517N, \$23.558 hourly in the Div. of Planning, effective November 15, 2021; (22) Unclassified Civil Service Appointment of Michael Clayborne, Construction Supervisor, Grade 524E, \$2,865.39 biweekly in the Div. of Water Quality, effective October 4, 2021; (23) Unclassified Civil Service Appointment of Taylor Lewis, Educational Program Aide P/T, Grade 508N, \$14.353 hourly in the Div. of Youth Services, effective October 18, 2021; (24) Classified Civil Service Voluntary Demotion of Lauren Weaver, GIS Analyst, Grade 516N, \$21.951 hourly in the Div. of Computer Services, effective October 25, 2021; and, (25) Classified Civil Service Acting Assignment of Jason Oesterling, Trades Supervisor, Grade 518N, \$26.015 hourly in the Div. of Facilities and Fleet Management, effective September 27, 2021.

*

*

*

Chief Lawrence Weathers, Div. of Police, presented a disciplinary matter regarding Officer Daniel Hempel. An allegation has been made that Officer Hempel has committed the offense of Violating Any Rules of the Department – Emergency and Pursuit Driving which constitutes misconduct under the provisions of KRS 95.450 and/or KRS 15.20 and

General Order 1973-02K, Disciplinary Procedures of Sworn Officers, Appendix B, Operational Rule 1.35 Violating Any Rules of the Department, G.O. 2011-08F Emergency and Pursuit Driving in that on the 27th day(s) of May, 2021 he/she allegedly:

(1) On May 27, 2021 Officer Daniel Hempel attempted a traffic stop of a known violent offender wanted for multiple shootings in Lexington. The suspect fled and Officer Hempel initiated a vehicle pursuit. During this pursuit Officer Hempel failed to notify dispatch in a timely manner or report pertinent information regarding the pursuit. During the pursuit Officer Hempel had his emergency lights activated, but didn't have a siren running continuously. Officer Hempel failed to proceed with due regard by not properly clearing intersections and operating his vehicle at excessive speeds in a residential neighborhood. Officer Hempel violated the above policy which states "The vehicle's lights and siren shall remain activated and in continuous operation for the duration of the officer's participation in the pursuit." The policy also states "Officers shall operate department vehicles with due regard for safety of all persons using the street or highway, and officers shall comply with the provisions of KRS 189.940."

This is Officer Hempel's first sustained formal complaint since being employed on October 23, 2017. He understands his actions violated policy and has accepted full responsibility.

The appropriate punishment for this conduct is **One (1) week Suspension Without Pay and one (1) month suspension of Home Fleet.**

Upon motion by Ms. Baxter, seconded by Mr. J. Brown, and approved by unanimous vote, the disciplinary recommendation was approved.

*

*

*

Ms. Baxter congratulated Toa Green and the employees at Crank & Boom Ice Cream for winning the 2021 Small Business of the Year award and noted her family's fondness for their ice cream. She spoke about a letter received from a nine year old constituent pointing out areas in the Shillito Park entrances that were in need of some repairs. Ms. Baxter shared that the majority of the constituent's concerns had been

remedied with help in part by Dir. Rob Allen, Div. of Streets and Roads. She also thanked the constituent for her civic engagement.

*

*

*

Mr. McCurn congratulated the Commerce Lexington award recipients. He extended further congratulations to Crank and Boom Ice Cream for also winning the 2021 Business Success Award. Mr. McCurn announced the third Freaky Friday Flicks movie screening which was to be held at 6:00 p.m. at Masterson Station Park on Friday, October 15.

*

*

*

Upon motion by Ms. Bledsoe, seconded by Vice Mayor Kay, and approved by unanimous vote, the meeting adjourned at 7:12 p.m.

Deputy Clerk of the Urban County Council