

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky June 29, 2023

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on June 29, 2023 at 6:01 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the Council: Plomin, Reynolds, Sevigny, Sheehan, Worley, Wu, J. Brown, Ellinger, Elliott Baxter, Fogle, Gray, LeGris, Lynch, and Monarrez. Absent was Council Member F. Brown.

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

Ordinances No. 057-2023 through 064-2023, inclusive, and Resolutions No. 304-2023 through 340-2023, inclusive, were reported as having been signed and published and ordered to record.

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The Invocation was given by Pastor Jacques Wigginton of Pleasant Valley Baptist Church.

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Upon motion by Mr. Ellinger, seconded by Ms. Gray, and approved by unanimous vote, the Minutes of the June 13, 2023 and June 15, 2023 Council Meetings were approved.

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Mayor Gorton asked Dr. Ellen Hann to join her at the podium, and read a Proclamation declaring July 1, 2023 as Smoke Free Day in Lexington.

She recognized the members of the Council who had helped to pass the Indoor Smoking in 2003.

Mayor Gorton talked about the public outrage that the City government had received from citizens while they tried to pass the Indoor Smoking Ordinance, but remarked that she believed the Indoor Smoking Ordinance to be the most important Ordinance that the Lexington Fayette Urban County Council had passed.

She described the process that public health officials underwent in an effort to have the Council pass the Indoor Smoking Ordinance.

Mayor Gorton acknowledged two people who had made great contributions to the process of passing the Ordinance; the late Councilmember at Large, Dr. David Stevens, and former Commissioner of Health at the Lexington Fayette Urban County Health Department, Dr. John Poundstone.

Dr. Hann shared that as a public health nurse, she felt bound to advocate for people who are voiceless and told a story about a student who saw direct benefits of the passing of the Indoor Smoking Ordinance. She shared her hope that other communities would continue to follow suit and stated that 58 other communities already had. She thanked the Mayor and the Council.

The Mayor asked anyone who had been involved in passing the Indoor Smoking Ordinance to stand to be recognized.

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A Resolution ratifying and approving the Fiscal Year 2024 Budget of the County Road Aid Fund was on the docket to receive first reading.

At 6:17 p.m., Mayor Gorton declared open a public hearing and invited public comment.

At 6:17 p.m., with no one appearing to speak, Mayor Gorton declared the public hearing closed.

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A Resolution ratifying and approving the Fiscal Year 2024 Budget of the Downtown Lexington Management District was on the docket to receive second reading.

At 6:17 p.m., Mayor Gorton declared open a public hearing and invited public comment.

At 6:18 p.m., with no one appearing to speak, Mayor Gorton declared the public hearing closed.

The resolution received second reading.

Upon motion by Vice Mayor Wu, and seconded by Ms. Sheehan, the resolution were approved by the following vote:

Aye: Plomin, Reynolds, Sevigny, Sheehan, -----14
Worley, Wu, J. Brown, Ellinger, Elliott
Baxter, Fogle, Gray, LeGris, Lynch,
Monarrez

Nay: -----0

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

Aye: Plomin, Reynolds, Sevigny, Sheehan, -----14
Worley, Wu, J. Brown, Ellinger, Elliott
Baxter, Fogle, Gray, LeGris, Lynch,
Monarrez

Nay: -----0

An Ordinance amending the following Sections of Chapter 5, Article VII of the Lexington Fayette Urban County Government Code of Ordinances, pertaining to the Relocation Assistance Program for Tenants: Section 5-104 related to program creation to clarify the scope of assistance available under the program, and to reassign program administration from the Dept. of Social Services to the Dept. of Housing Advocacy & Community Development; Section 5-105 related to program eligibility to adjust the eligible income criteria and expenses; and Section 5-107 related to appropriation of program funds to reassign certain duties from the Dept. of Social Services to the Dept. of Housing Advocacy & Community Development.

An Ordinance amending and reenacting the following Sections of Chapter 5, Article VIII of the Lexington Fayette Urban County Government Code of Ordinances, pertaining to the Emergency Temporary Relocation Assistance Program for tenants: Section 5-108 related to program creation to reassign program administration from the Dept. of Social Services to the Dept. of Housing Advocacy & Community Development; Section 5-109 related to program eligibility to adjust the eligible income criteria and total assistance amount, and to reassign certain duties from the Dept. of Social Services to the Dept. of Housing Advocacy & Community Development; and Section 5-110 related determining fitness for occupancy to reassign certain duties from the Dept. of Social Services to the Dept. of Housing Advocacy & Community Development.

An Ordinance amending the following Sections of Chapter 16 of the Lexington Fayette Urban County Government Code of Ordinances, pertaining to sewage, garbage,

refuse, and weeds: Section 16-16.3 related to the Landfill User Fee Assistance Program to redefine income and qualified customer, and to reassign program administration from the Dept. of Social Services to the Dept. of Housing Advocacy & Community Development; Section 16-59.1 related to the Sewer User Fee Assistance Program to redefine income and qualified customer, to adjust the total assistance amount, and to reassign certain duties from the Comm. of Social Services to the Comm. of Housing Advocacy & Community Development; and Section 16-405.1 related to the Water Quality Management User Fee Assistance Program to redefine income and qualified customer, to adjust the total assistance amount, and to reassign certain duties from the Comm. of Social Services to the Comm. of Housing Advocacy & Community Development.

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. 42.

Ordinance of the Council of the Lexington Fayette Urban County Government Authorizing And approving the execution and delivery of an Eighth Supplemental Lease Agreement between the Lexington Fayette Urban County Airport Board as the Lessor And the Lexington Fayette Urban County Government as the Lessee relating to the issuance and sale of an amount not to exceed \$110,000,000 in aggregate principal amount of Lexington Fayette Urban County Airport Board General Airport Revenue and Revenue Refunding Bonds, 2023 Series (Lexington Fayette Urban County Government General Obligation) for the purposes of (i) financing the costs of the 2023 Project To Be Located at the Blue Grass Airport in Fayette County, Kentucky (ii) refunding all or a portion of certain outstanding prior Bonds issued by the Board, (iii) funding a deposit to the Debt Service Reserve Fund and (iv) paying the costs of issuance in connection therewith.

An Ordinance amending the authorized strength by abolishing one (1) vacant Unclassified Civil Service Position of Juvenile Probation Officer, Grade 517N, and creating one (1) Unclassified Civil Service Position of Social Worker, Grade 516E, in the Div. of Youth Services, effective upon the passage of Council.

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Upon motion by Mr. J. Brown, seconded by Ms. Reynolds, and approved by unanimous vote, an Ordinance authorizing and directing the Mayor to execute a

Memorandum of Agreement with Main Street Baptist Church related to constructing parking spaces for use by the church and by the general public for a period of ten years; and closing a portion of Jefferson Street upon completion of the improvements in accordance with KRS 82.405 and authorizing the Mayor, on behalf of the Urban County Government, to execute a Quitclaim Deed transferring the former right-of-way to Main Street Baptist Church as the abutting owner, subject to the reservation of easements and restrictions and those contained in the Agreement; and authorizing any additional necessary related actions received first reading.

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

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

Aye: Plomin, Reynolds, Sevigny, Sheehan, -----14
Worley, Wu, J. Brown, Ellinger, Elliott
Baxter, Fogle, Gray, LeGris, Lynch,
Monarrez

Nay: -----0

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An Ordinance accepting the dedication of a portion of Shropshire Avenue located between East Third Street and Grinstead Street as a public way and further authorizing the Mayor, on behalf of the Urban County Government, to execute deeds and all other necessary documents for the transfer of properties pursuant to the consolidation plat of LFUCG & Housing Authority for the Shropshire Avenue right of way project received first reading.

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

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

Aye: Plomin, Reynolds, Sevigny, Sheehan, -----14
Worley, Wu, J. Brown, Ellinger, Elliott
Baxter, Fogle, Gray, LeGris, Lynch,
Monarrez

Nay: -----0

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An Ordinance repealing and replacing Ordinance No. 103-2014 in its entirety, and instead setting a minimum Budgetary funding goal of one percent (1%) of the General Fund revenue collected from the previous full fiscal year for the Affordable Housing Fund, commencing with the Fiscal Year 2025 Budget, and continuing to designate funding in the amount of at least \$750,000 each fiscal year for the Innovative and Sustainable Solutions to Homelessness Fund received first reading.

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

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

Aye: Plomin, Reynolds, Sevigny, Sheehan, -----14
Worley, Wu, J. Brown, Ellinger, Elliott
Baxter, Fogle, Gray, LeGris, Lynch,
Monarrez

Nay: -----0

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The following ordinances received first reading and were ordered to be placed on file for public inspection until July 11, 2023:

An Ordinance amending Articles 1-11, 3-13(a)-(j), 8-5(c)(11), 8-5(d)(15), 8-9(c)(10), 8-10(c)(10), 8-12(c)(1) and (2), 8-14(c)(1), 8-15(b)(25), 8-15(c)(10), 8-16(b)(48), 8-16(c)(11), 8-17(b)(19), 8-19(b)(31), 8-21(o)(4)(e)(20), 8-21(o)(5)(e)(20), 12-3(i), 23A-5(c)(9), 23A-5(d)(10), 23A-9(b)(36), and 28-5(h)(5)(e)(1)(b) of the Zoning Ordinance to define and regulate short term rentals in the residential, business, mixed use and industrial zones. (Urban County Council).

An Ordinance changing the zone from a Highway Service Business (B-3) zone to a Wholesale and Warehouse Business (B-4) zone, for 0.91 net (1.16 gross) acres, for property located at 763 Newtown Pike. (763 Newtown, LLC; Council District 1)

An Ordinance amending certain of the Budgets of the Lexington Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re appropriating funds, FY 2024 Schedule No. 1.

An Ordinance amending the authorized strength by abolishing one (1) vacant Classified Civil Service Position of Youth Advocacy Officer, Grade 523E, and creating one (1) Classified Civil Service Position of Program coordinator, Grade 525E, in the Dept. of Social Services, effective upon the passage of Council.

An Ordinance of the Lexington Fayette Urban County Government authorizing the issuance of its various purpose General Obligation Bonds, Series 2023A, in one or more subseries, in an aggregate principal amount of \$38,500,000 (which amount may be increased by an amount of up to ten percent (10%) or decreased by an unlimited amount); approving a form of Series 2023A Bonds; authorizing designated Officers to execute and deliver the Series 2023A Bonds; authorizing and directing the filing of notice with the State Local Debt Officer; providing for the payment and security of the series 2023A bonds; maintaining a Sinking Fund; creating a Bond Payment Fund for the Series 2023A bonds; authorizing acceptance of the bid(s) of the Bond Purchaser of the Series 2023A bonds; and repealing inconsistent Ordinances.

An Ordinance of Lexington Fayette Urban County Government authorizing the issuance of Lexington Fayette Urban County Government Various Purpose General Obligation Refunding Bonds, in one or more subseries, for the purpose of refunding all or a portion of certain outstanding General Obligation Bonds of the Lexington Fayette Urban County Government including, but not limited to, the outstanding General Obligation Bonds listed on exhibit a hereto; approving a form of bond; authorizing designated Officers to execute and deliver the bonds; authorizing the Lexington Fayette Urban County Government to provide for the defeasance of certain outstanding prior bonds with monies available for such purpose; providing for the payment and security of the bonds; creating a Bond Payment Fund and Escrow Funds; maintaining the heretofore established Sinking Fund; authorizing a Certificate of Award for the acceptance of the bid of the Bond Purchaser for the purchase of the refunding obligations; authorizing an Escrow Trust Agreement; and repealing inconsistent Ordinances.

An Ordinance amending Section 13-13(b) of the Code of Ordinances to create a short term rental special fees license and setting its fee; creating Section 13-76 of the Code to define terms regarding the regulation of short term rentals; creating Section 13-77 of the Code to require a person owning a short term rental to obtain a short term rental special fees license, to provide the information required in the application for a short term rental special fees license, and to set the criteria by which the Dir. of Revenue may deny an application or revoke a license; creating Section 13-78 of the Code to remind licensees of their obligations regarding transient room taxes and occupational license fees; creating Section 13-79 of the Code to require a licensee to perform certain duties relating to its short term rental; creating Section 13-80 of the Code to require local registration numbers provided by the Div. of Revenue be included by licensees in all advertisements; to require certain information in advertisements for short term rentals; and providing the authority to issue subpoenas to the Administrative Hearing Board created pursuant to Section 12 6 of the Code to determine whether violations of this Ordinance have occurred; creating Section 13-81 of the Code to set penalties for violations; and creating Section 13-82 of the Code to provide the ability to appeal the denial of an application, the revocation of a license, or the failure to renew a license to the Dir. of Revenue and Comm. of Finance and civil penalties to the Administrative Hearing Board created pursuant to Section 12-6 of the Code; and authorizing the Div. of Revenue to amend its regulations consistent with this Ordinance; all effective upon passage of Council.

A Resolution authorizing the Mayor to execute an Agreement with LexArts, Inc., to provide up to \$325,000 for operating and personnel support in FY 2024, using funding awarded under the American Rescue Plan Act (ARPA), and further authorizing the Mayor to execute any necessary amendments with LexArts, Inc., related to the use of these funds received second reading.

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

Aye: Plomin, Reynolds, Sevigny, Sheehan, -----13
Worley, Wu, J. Brown, Ellinger, Elliott
Baxter, Fogle, Gray, LeGris, Monarrez

Nay: -----0

Recuse: Lynch -----1

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The following resolutions received second reading. Upon motion by Vice Mayor Wu, and seconded by Ms. Sheehan, the resolutions were approved by the following vote:

Aye: Plomin, Reynolds, Sevigny, Sheehan, -----14
Worley, Wu, J. Brown, Ellinger, Elliott
Baxter, Fogle, Gray, LeGris, Lynch,
Monarrez

Nay: -----0

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute the Third Renewal of the Agreement with Tetra Tech, Inc., for annual Program Management Services for Consent Decree implementation and MS4 Permit Compliance, at a cost not to exceed \$734,015.

A Resolution authorizing and directing the Div. of Traffic Engineering to install three (3) speed tables on Bob-O-Link Dr. between Harrodsburg Rd. and Saint Joseph Dr. per guidelines in the Neighborhood Traffic Management Program, at a cost not to exceed \$13,500.

A Resolution authorizing and directing the Div. of Traffic Engineering to install four (4) speed tables on Springridge Dr. between Harrodsburg Rd. and Clays Mill Rd. per guidelines in the Neighborhood Traffic Management Program, at a cost not to exceed \$18,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a three year Service Agreement and related documents with CINTAS, for lease of automated external Defibrillator (AED) units, for the Div. of Water Quality, at an annual cost not to exceed \$12,852.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with U.S. Geological Survey, for the continuing and ongoing maintenance and operation of existing stream flow and precipitation gauges, for the period July 1, 2023 through June 30, 2024, at a cost not to exceed \$118,450.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Transportation Cabinet (“Cabinet”) in order to accept a Grant from the Cabinet and the Lexington Area Metropolitan Planning Organization (“MPO”), which Grant funds are in the amount of \$300,000 in Surface Transportation Block Grant Lexington (STBG SLX) Federal funds for the Complete Street Design Standards Project as part of the MPO’S FY 2021 2024 Transportation Improvement Program, the acceptance of which obligates the Urban County Government to the expenditure of \$60,000 as a local match, 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 an Agreement (RFP No. 20-2023) with Western Skies LLC, for a violence prevention needs assessment, at a cost not to exceed \$100,000.

A Resolution authorizing and directing the Mayor, on behalf of the Lexington Fayette Urban County Government, to execute an Amendment to the Agreement with the Ky. Cabinet for Health and Family Services, Dept. for Community Based Services, related to funding awarded under the American Rescue Plan Act (ARPA), to apply additional child care program requirements in the Family Care Center.

A Resolution ratifying the Permanent Classified Civil Service Appointments of: Justin Talbert, Customer Account Specialist, Grade 512N, \$18.847 hourly in the Div. of LexCall, effective May 21, 2023, Jessica Denham, Customer Service Specialist, Grade 511N, \$17.652 hourly in the Div. of LexCall, effective June 5, 2023, Cathy Rawlings, Customer Service Specialist, Grade 511N, \$18.968 hourly in the Div. of LexCall, effective June 5, 2023, Ashley Isom, Accountant, Grade 518N, \$25.655 hourly in the Div. of Accounting, effective June 5, 2023.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a first Amendment to the Agreement (pursuant to RFP No. 5-2023) with Mahan Multimedia, LLC, to revise the Budget in the amount of \$135,000 to expand Phase 3 of the It’s Time Campaign, and to extend the period of performance through June 30, 2024, and further authorizing the Mayor to execute any other necessary amendments with Mahan Multimedia, LLC, related to that Agreement.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Transportation Cabinet (KYTC), delegating responsibility for operation and maintenance costs for traffic signals and electrical traffic control devices on the State Primary Rd. System in Fayette County, which shall be reimbursed by KYTC up to \$396,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Commonwealth of Ky. Transportation Cabinet, for construction of the Alexandria Dr. at Trailwood Lane Left Turn Lane, at a cost not to exceed \$33,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a maintenance Agreement with Tait Communications, for Public Safety Radio System, at a cost not to exceed \$388,829.

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

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Subrecipient Agreement with NAMI Lexington (Ky), Inc., for the operation of the Fayette Mental Health Court, at a cost not to exceed \$170,000, using funds awarded under the American Rescue Plan Act (ARPA), and authorizing the Mayor to execute any other needed Agreements or amendments with NAMI Lexington (Ky), Inc., related to the use of these funds.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute certificates of consideration and other necessary documents, and to accept deeds from owners of record, for property interests needed for the Joyland Area Storm Drainage Phase II Project, at a cost not to exceed \$4,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement (awarded pursuant to RFP No. 63-2022) with Palmer Engineering Co., for design engineering services for the Mason Headley Multimodal Improvement Project, for the Div. of Engineering, at a cost not to exceed \$330,874.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a five year lease Agreement with Quadient Leasing USA, Inc., through Central Business Systems, Inc., for mail machine equipment and web based software, for the Div. of General Services, at an annual cost not to exceed \$10,603.56, with future fiscal years subject to the appropriation of sufficient funds, and further authorizing the Mayor to execute any other documents related to this lease Agreement.

A Resolution authorizing and directing the Mayor, on behalf of the Lexington Fayette Urban County Government, to execute an Agreement with Norfolk Southern Railroad, to review five (5) specified crossings for safety improvements required in order to establish a railroad quiet zone in the vicinity of each crossing, at an estimated cost not to exceed \$17,500, effective upon passage of Council.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Ky. State Police, to disseminate personally identifying information.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Seven (7) to the Agreement with ATS Construction, for the Town Branch Trail Phase 6, increasing the Contract price by \$238,600.00 and raising the total Contract price to \$5,224,064.75.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 3 with the Ky. Transportation Cabinet (KYTC) for the design phase of the West Loudon Avenue Streetscape Project, as funded under the Ky. Transportation Cabinet Transportation Alternatives Program (TAP), at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application seeking \$21,720,000 in Federal Funds from the U.S. Dept. of Transportation under the Safe Streets for All (SS4A) Discretionary Grant Program, for the implementation of the Safe Streets for Lexington Project, and to provide any additional information requested in connection with this Grant Application.

A Resolution authorizing the Div. of E911 to purchase a single database for 911 location records from Datamaster LLC, a sole source provider, and authorizing the Mayor,

on behalf of the Urban County Government, to execute any necessary Agreement with Datamaster LLC, related to the procurement, at a cost not to exceed \$46,732.

A Resolution ratifying and approving the Fiscal Year 2024 Budget of the Downtown Lexington Management District.

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Upon motion by Vice Mayor Wu, seconded by Ms. Fogle, and approved by unanimous vote, a Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement related to Council Capital Project Expenditure funds with Step by Step, Inc. (\$28,000), for the Office of the Urban County Council, at a cost not to exceed the sum stated received first reading.

Upon motion by Vice Mayor Wu, seconded by Ms. Reynolds, and approved by unanimous vote, the rules were suspended and the resolution received second reading.

Upon motion by Ms. Gray, and seconded by Ms. Fogle, the resolution was approved by the following vote:

Aye: Plomin, Reynolds, Sevigny, Sheehan, -----14
Worley, Wu, J. Brown, Ellinger, Elliott
Baxter, Fogle, Gray, LeGris, Lynch,
Monarrez

Nay: -----0

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Consultant Services Agreement (awarded pursuant to RFP No. 27-2023) with Tate.Hill.Jacobs: Architects Inc., for Professional Design Services of the Police West Roll Call - Envelope and HVAC Improvements Project, for the Dept. of General Services, at a cost not to exceed \$288,000 received first reading.

Upon motion by Ms. Sheehan, seconded by Vice Mayor Wu, and approved by unanimous vote, the rules were suspended and the resolution received second reading.

Upon motion by Ms. Gray, and seconded by Ms. Fogle, the resolution was approved by the following vote:

Aye: Plomin, Reynolds, Sevigny, Sheehan, -----14
Worley, Wu, J. Brown, Ellinger, Elliott
Baxter, Fogle, Gray, LeGris, Lynch,
Monarrez

Nay: -----0

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a three-year Agreement with AmeriNat, for loan servicing for housing programs operated by the Div. of Grants and Special Programs, at a cost not to exceed \$70,000 for Fiscal Year 2024 received first reading.

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

Upon motion by Ms. Gray, and seconded by Ms. Fogle, the resolution was approved by the following vote:

Aye: Plomin, Reynolds, Sevigny, Sheehan, -----14
Worley, Wu, J. Brown, Ellinger, Elliott
Baxter, Fogle, Gray, LeGris, Lynch,
Monarrez

Nay: -----0

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Agreements with Central Bank Center and Levy Catering, for the Police Awards Banquet at no cost to the Government received first reading.

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

Upon motion by Ms. Gray, and seconded by Ms. Fogle, the resolution was approved by the following vote:

Aye: Plomin, Reynolds, Sevigny, Sheehan, -----14
Worley, Wu, J. Brown, Ellinger, Elliott
Baxter, Fogle, Gray, LeGris, Lynch,
Monarrez

Nay: -----0

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The following resolutions received first reading and were ordered to be placed on file for public inspection until July 11 2023:

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute the Third Renewal of the Agreement with Tetra Tech, Inc., for annual Program

Management Services for Consent Decree implementation and MS4 Permit Compliance, at a cost not to exceed \$734,015.

A Resolution authorizing and directing the Div. of Traffic Engineering to install three (3) speed tables on Bob-O-Link Dr. between Harrodsburg Rd. and Saint Joseph Dr. per guidelines in the Neighborhood Traffic Management Program, at a cost not to exceed \$13,500.

A Resolution authorizing and directing the Div. of Traffic Engineering to install four (4) speed tables on Springridge Dr. between Harrodsburg Rd. and Clays Mill Rd. per guidelines in the Neighborhood Traffic Management Program, at a cost not to exceed \$18,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a three year Service Agreement and related documents with CINTAS, for lease of automated external Defibrillator (AED) units, for the Div. of Water Quality, at an annual cost not to exceed \$12,852.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with U.S. Geological Survey, for the continuing and ongoing maintenance and operation of existing stream flow and precipitation gauges, for the period July 1, 2023 through June 30, 2024, at a cost not to exceed \$118,450.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Transportation Cabinet (“Cabinet”) in order to accept a Grant from the Cabinet and the Lexington Area Metropolitan Planning Organization (“MPO”), which Grant funds are in the amount of \$300,000 in Surface Transportation Block Grant Lexington (STBG SLX) Federal funds for the Complete Street Design Standards Project as part of the MPO’S FY 2021 2024 Transportation Improvement Program, the acceptance of which obligates the Urban County Government to the expenditure of \$60,000 as a local match, 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 an Agreement (RFP No. 20-2023) with Western Skies LLC, for a violence prevention needs assessment, at a cost not to exceed \$100,000.

A Resolution authorizing and directing the Mayor, on behalf of the Lexington Fayette Urban County Government, to execute an Amendment to the Agreement with the Ky. Cabinet for Health and Family Services, Dept. for Community Based Services, related to funding awarded under the American Rescue Plan Act (ARPA), to apply additional child care program requirements in the Family Care Center.

A Resolution ratifying the Permanent Classified Civil Service Appointments of: Justin Talbert, Customer Account Specialist, Grade 512N, \$18.847 hourly in the Div. of LexCall, effective May 21, 2023, Jessica Denham, Customer Service Specialist, Grade 511N, \$17.652 hourly in the Div. of LexCall, effective June 5, 2023, Cathy Rawlings, Customer Service Specialist, Grade 511N, \$18.968 hourly in the Div. of LexCall, effective June 5, 2023, Ashley Isom, Accountant, Grade 518N, \$25.655 hourly in the Div. of Accounting, effective June 5, 2023.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a first Amendment to the Agreement (pursuant to RFP No. 5-2023) with Mahan Multimedia, LLC, to revise the Budget in the amount of \$135,000 to expand Phase 3 of the It's Time Campaign, and to extend the period of performance through June 30, 2024, and further authorizing the Mayor to execute any other necessary amendments with Mahan Multimedia, LLC, related to that Agreement.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Transportation Cabinet (KYTC), delegating responsibility for operation and maintenance costs for traffic signals and electrical traffic control devices on the State Primary Rd. System in Fayette County, which shall be reimbursed by KYTC up to \$396,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Commonwealth of Ky. Transportation Cabinet, for construction of the Alexandria Dr. at Trailwood Lane Left Turn Lane, at a cost not to exceed \$33,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a maintenance Agreement with Tait Communications, for Public Safety Radio System, at a cost not to exceed \$388,829.

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

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Subrecipient Agreement with NAMI Lexington (Ky), Inc., for the operation of the Fayette Mental Health Court, at a cost not to exceed \$170,000, using funds awarded under the American Rescue Plan Act (ARPA), and authorizing the Mayor to execute any other needed Agreements or amendments with NAMI Lexington (Ky), Inc., related to the use of these funds.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute certificates of consideration and other necessary documents, and to accept deeds from owners of record, for property interests needed for the Joyland Area Storm Drainage Phase II Project, at a cost not to exceed \$4,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement (awarded pursuant to RFP No. 63-2022) with Palmer Engineering Co., for design engineering services for the Mason Headley Multimodal Improvement Project, for the Div. of Engineering, at a cost not to exceed \$330,874.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a five year lease Agreement with Quadient Leasing USA, Inc., through Central Business Systems, Inc., for mail machine equipment and web based software, for the Div. of General Services, at an annual cost not to exceed \$10,603.56, with future fiscal years subject to the appropriation of sufficient funds, and further authorizing the Mayor to execute any other documents related to this lease Agreement.

A Resolution authorizing and directing the Mayor, on behalf of the Lexington Fayette Urban County Government, to execute an Agreement with Norfolk Southern Railroad, to review five (5) specified crossings for safety improvements required in order to establish a railroad quiet zone in the vicinity of each crossing, at an estimated cost not to exceed \$17,500, effective upon passage of Council.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Ky. State Police, to disseminate personally identifying information.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Seven (7) to the Agreement with ATS Construction, for the Town Branch Trail Phase 6, increasing the Contract price by \$238,600.00 and raising the total Contract price to \$5,224,064.75.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 3 with the Ky. Transportation Cabinet (KYTC) for the design phase of the West Loudon Avenue Streetscape Project, as funded under the Ky. Transportation Cabinet Transportation Alternatives Program (TAP), at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application seeking \$21,720,000 in Federal Funds from the U.S. Dept. of Transportation under the Safe Streets for All (SS4A) Discretionary Grant Program, for the implementation of the Safe Streets for Lexington Project, and to provide any additional information requested in connection with this Grant Application.

A Resolution authorizing the Div. of E911 to purchase a single database for 911 location records from Datamaster LLC, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Datamaster LLC, related to the procurement, at a cost not to exceed \$46,732.

A Resolution ratifying and approving the Fiscal Year 2024 Budget of the Downtown Lexington Management District.

A Resolution accepting the bid of Herrick Co., Inc., in the amount of \$339,000, for Picadome Pump Station Upgrades, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Herrick Co., Inc., related to the bid.

A Resolution ratifying the Permanent Classified Civil Service Appointments of: Holland Buck, Public Service Supervisor, Grade 516N, \$30.117 hourly in the Div. of Streets and Roads, effective June 26, 2023, Ashleigh Bailey, Attorney Sr., Grade 530E,

\$3,754.48 biweekly in the Dept. of Law, effective June 12, 2023, Cheryl Rodriguez, Administrative Specialist, Grade 516N, \$25.416 hourly in the Div. of Police, effective May 21, 2023, Albulena Jahjaga, Accountant, Grade 518N, \$24.009 hourly in the Div. of Grants and Special Program, effective May 7, 2023, Charles Goidel, Stores Clerk, Grade 509N, \$18.032 hourly in the Div. of Facilities and Fleet Management, effective June 19, 2023.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Memorandum of Understanding with U.S. Dept. of Energy, Portsmouth/Paducah Project Office, for law enforcement support.

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

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the First Amendment to the Loan Agreement with Legit Apps, LLC, to accelerate the payoff of the remaining Jobs Fund Loan Balance.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Release of Easement, releasing certain storm and sanitary sewer easements on the property located at 330 Newtown Pike.

A Resolution of the Lexington Fayette Urban County Government authorizing the advertisement for bids and the distribution of a Preliminary Official Statement for the purchase of the principal amount of its various purpose General Obligation Bonds, Series 2023A, in an aggregate principal amount of \$38,500,000 (which amount may be increased by an amount of up to ten percent (10%) or decreased by an unlimited amount).

Declaration of Official Intent with respect to reimbursement of temporary advances made for Capital Expenditures to be made from subsequent borrowings, with respect to various Capital Improvement Projects of the Lexington Fayette Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Addendum to the Sonitrol Agreement (Resolution 195-2023)

with Sonitrol of Lexington, Inc., for addition of burglary monitoring and term extension, at a cost not to exceed \$3,325 plus \$40.00 per month.

A Resolution of the Lexington Fayette Urban County Government authorizing the advertisement for bids and the distribution of a Preliminary Official Statement for the purchase of the principal amount of its Various Purpose General Obligation Refunding Bonds, Series 2023B in a principal amount not to exceed \$75,000,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Energy and Environment Cabinet, Dept. of Environmental Protection, Div. of Waste Management, which Grant funds are in the amount of \$4,000 in Commonwealth of Ky. funds for Fiscal Year 2024 for the disposal and recycling of waste tires, 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 Amendment No. 4 to the Grant Agreement with the Bluegrass Area Development District, Inc., to accept an additional award of \$61,000 in Federal funds and the breakdown of eligible reimbursable expenses for the operation of the Senior Citizens Center in Fiscal Year 2023.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Fayette Fiscal Court accepting and establishing funding for Fiscal Year 2024 County Road Aid projects in the Rural Service Area.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement (awarded pursuant to RFP No. 25-2023) with Stantec Consulting Services, Inc., for Engineering Services for the Furlong Drive Greenway BMP Project, for the Div. of Engineering, at a cost not to exceed \$71,737, to be paid with funds awarded under the Ky. Infrastructure Authority (KIA) Grant, and authorizing the Mayor to execute any other necessary Agreements or Amendments with Stantec Consulting Services, Inc., related to the use of these funds.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement (awarded pursuant to RFP No. 13-2023) with Stantec Consulting Services, Inc., for engineering services for the West Hickman

Creek Veterans Park Water Quality Improvement Project, at a cost not to exceed \$106,090, to be paid with funds awarded under the Ky. Infrastructure Authority (KIA) Grant, and authorizing the Mayor to execute any other necessary Agreements or Amendments with Stantec Consulting Services, Inc., related to the use of these funds.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an order form with LinkedIn Corporation, to provide job listings on its platform, for the Public Information Office, at a cost not to exceed \$17,190, effective upon passage of Council.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application seeking \$150,926 in Federal funds from the U.S. Dept. of Justice, under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program in Fiscal Year 2024, for equipment for the Lexington Police Dept., and to provide any additional information requested in connection with this Grant Application.

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Upon motion by Vice Mayor Wu, and seconded by Ms. Sevigny, the Communications from the Mayor (Appointments) were approved by unanimous vote and were as follows: (1) Recommending the appointments of Anita Dawson, Kent Kehler, and Charles Myers to the Bluegrass Crime Stoppers Board of Directors all with terms expiring July 1, 2027; (2) Recommending the appointment of Leonard Harrison to CASA of Lexington Board of Directors with a term expiring July 1, 2027; (3) Recommending the appointments of Nathan Gatewood, Better Business Bureau Representative, and Christine Stanley, John Rowe Chapter Representative, to the Ethics Commission both with terms expiring June 1, 2027; and, (4) Recommending the reappointment of Amy Steele, Fayette County Resident, to the Tree Board with a term expiring April 1, 2027.

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Upon motion by Mr. Sevigny, and seconded by Ms. Gray, the Communications from the Mayor (Price Contracts) were approved by unanimous vote and were as follows: (1) Accepting and approving the following bids and establishing price contracts for the following Depts. or Divs. as to the specifications and amount set forth in the terms of the respective bids: (a) Div. of Community Corrections - Jumpsuits for Inmates – 55-2023 -

Acme Supply Company LTD, Bob Barker Company Inc, Mini Wing USA, Victory Supply Inc.; and, (b) Div. of Fire - Fire Hose #2 – 71-2023 - Emergency Atlantic Solutions, Vogelpohl Fire Equipment Inc.

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

(1) Probationary Classified Civil Service Appointment of Ashley Lindsey, Revenue Compliance Analyst, Grade 518N, \$25.039 hourly in the Div. of Revenue, effective July 3, 2023; (2) Probationary Classified Civil Service Appointment of Tracy Sweat, Administrative Specialist, Grade 516N, \$26.926 hourly in the Div. of Water Quality, effective July 3, 2023; (3) Probationary Classified Civil Service Appointment of Brittiny Jefferson, Administrative Specialist, Grade 516N, \$21.964 hourly in the Div. of Water Quality, effective July 3, 2023; (4) Probationary Classified Civil Service Appointment of Robert Boone, Public Service Worker Sr., Grade 510N, \$16.489 hourly in the Div. of Water Quality, effective July 3, 2023; (5) Probationary Classified Civil Service Appointment of Mitchum Coyle, Traffic Signal Technician Sr., Grade 517N, \$25.514 hourly in the Div. of Traffic Engineering, effective July 3, 2023; (6) Probationary Classified Civil Service Appointment of Jared Roberts, Traffic Signal Technician Sr., Grade 517N, \$24.000 hourly in the Div. of Traffic Engineering, effective June 26, 2023; (7) Probationary Classified Civil Service Appointment of Stephen Kappeler, Security Officer, Grade 511N, \$18.594 hourly in the Dept. of Public Security, effective July 3, 2023; (8) Probationary Classified Civil Service Appointment of Jared Helton, Corrections Building Maintenance Sr., Grade 519N, \$29.590 hourly in the Div. of Community Corrections, effective July 3, 2023; (9) Probationary Classified Civil Service Appointment of Laquicia Carter, Public Service Supervisor, Grade 517N, \$25.297 hourly in the Div. of Family Services, effective July 3, 2023; (10) Probationary Classified Civil Service Appointment of Rosetta Siler, Clinical Services Manager, Grade 524E, \$3,000.00 biweekly in the Div. of Youth Services, effective August 14, 2023; (11) Probationary Classified Civil Service Appointment of Hunter Jones, Public Service Worker, Grade 508N, \$16.143 hourly in the Div. of Facilities and Fleet Management, effective July 10, 2023; (12) Probationary Classified Civil Service Appointment of Donald Baker, Vehicle & Equipment Mechanic, Grade 514N, \$23.000 hourly in the Div. of Park & Recreation, effective September 5, 2023; and, (13)

Unclassified Civil Service Appointment of Jania Stevenson, Family Support Worker Sr., Grade 516N, \$21.745 hourly in the Div. of Family Services, effective June 26, 2023.

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Ms. Elliott Baxter invited everyone to Wellington Park on Saturday July 8, 2023 from 9:00 a.m. to 11:00 a.m. for a hands only CPR seminar.

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Ms. Gray read the following statement: “Over the last many years there have been several task forces to address differing issues – The Task Force on Neighborhoods in Transition and the Racial Justice and Equality Task Force, just to name a few. All of these task forces mention one area in need of reimagining. That area is Code Enforcement. I would like to address the recommendations of the task forces. This is of great importance to me because of growing issues in the 6th District and with residents around the city of Lexington. For these reasons, I am placing the following items in the Social Services and Public Safety committee. Please note that I am placing these items individually because it’s easier to address big issues one at a time. Or as Desmond Tutu once wisely said ‘There is only one way to eat an elephant: one bite at a time.’”

Ms. Gray read a list of issues that she would like to see addressed including Fine Fee scales, rapid abatement, Code Enforcement capacity demands, Equitable enforcement, Revising Chapter 12, Revising Chapter 17 as it relates to Code Enforcement, methods of complaints, technology and communication.

Ms. Gray made a motion to add a review of Code Enforcement Fine Fee scales to the Social Services and Public Safety Committee. The motion was seconded by Ms. Monarrez and was approved by unanimous vote.

Ms. Gray made a motion to add a review of Code Enforcement Rapid Abatement to the Social Services and Public Safety Committee. The motion was seconded by Mr. Sevigny and was approved by unanimous vote.

Ms. Gray made a motion to add a review of Code Enforcement capacity demands to the Social Services and Public Safety Committee. The motion was seconded by Vice Mayor Wu and was approved by unanimous vote.

Ms. Gray made a motion to add a review of Equitable Enforcement as it relates to Code Enforcement to the Social Services and Public Safety Committee. The motion was seconded by Ms. Monarrez and was approved by unanimous vote.

Ms. Gray made a motion to review Chapter 12 of the Code of Ordinances to the Social Services and Public Safety Committee. The motion was seconded by Mr. Sevigny and was approved by unanimous vote.

Ms. Gray made a motion to review Chapter 17 of the Code of Ordinances as it related to Code Enforcement to the Social Services and Public Safety Committee. The motion was seconded by Vice Mayor Wu and was approved by unanimous vote.

Ms. Gray made a motion to review methods of submitting code enforcement complaints to the Social Services and Public Safety Committee. The motion was seconded by Mr. Sevigny and was approved by unanimous vote.

Ms. Gray made a motion to review the utilization of technology to keep Code Enforcement filers and their Council members informed of complaints to the Social Services and Public Safety Committee. The motion was seconded by Vice Mayor Wu and was approved by unanimous vote.

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Ms. Lynch talked about a free two-week long summer camp that was held in the District 2 at Windy Young Park. She shared that the summer camp was hosted by Community Inspired Lexington. She explained that Tuesday had been government day for the campers and Ms. Lynch and her aide were able to bring LFUCG employees to the camp to speak to them about city government. She thanked Commander Tommy Perkins, Lieutenant Jeremy Brislin, and neighborhood resource officer Ryan Holland as well as the Lexington Police Department for visiting the Camp. She thanked Chief Wells and the Fire Department, Nancy Albright, Commissioner of Environmental Quality and Public Works and her staff, the Parks and Recreation staff for also attending camp.

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Mr. J. Brown thanked Police Officer Muravchick for leading Winburn Public Safety Day.

He also talked about the Broadway Bridge Grant and thanked the Mayor for her support in the project. He also thanked Kevin Atkins, Office of the Mayor, for traveling to

Washington D.C. alongside him. He thanked everyone who had advocated for the project and shared a brief history of how the grant became awarded.

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Ms. Fogle spoke about the students from Bryan Station High School who recently traveled to Washington D.C. for the Poverty Equals Death Tour with the Poor People's Campaign.

She also thanked the 1st District Advisory Board and everyone who had come out to the recent meeting.

Ms. Fogle asked Commissioner Charlie Lanter, Office of Affordable Housing and Community Development, about the cooling program for unhoused people in light of the recent poor air quality. She also asked for an update on the program providing mediation for Eviction Court

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Mr. Sevigny announced the Red, White, and Blues event at the Moondance Amphitheater on Saturday July 1, 2023 from 5:30 p.m. to 9:00 p.m.

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Ms. Reynolds reminded everyone about the upcoming Independence Day festivities that would be held during the weekend of July 1 and 2, 2023 as well as on Tuesday July 4. She said that 4 July festival would be held that Tuesday July 4, 2023 from 10:00 a.m. to 3:00 p.m. at Tandy Park, followed by a parade at noon, and the Fireworks Spectacular, visible from most places in Downtown Lexington at 10:00 p.m. that night.

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Dottie Bean, District 8, spoke about the Planning Commission work session item and also spoke in regards to civic participation.

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Rick Day, District 3, spoke about the LFUCG employee compensation study, detailing the compensation discrepancies between employee classifications as well as the compensation structure.

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Brittani Price, District 11, spoke of her civic engagement and her goals to complete coursework at Bluegrass Community and Technical College and University of Kentucky. She also mentioned that she would like to do an internship with the Lexington Police Department.

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Laverne Zabeilski, District 1, spoke about unhoused people and shared a personal anecdote about the logistical issues her daughter, who had experienced homelessness, had faced in trying to obtain resources to help herself.

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Kiah Arnold, District 1, spoke about the noise disturbances caused by construction in her neighborhood and expressed concerns about the lack of communication from project contractors as well as the lack of signage about the construction project. She asked for better measures for providing information to residents about upcoming construction projects. She also spoke about an upcoming event called Lex Litter Fest at Castlewood Park from 2:00 to 5:00 p.m. on Friday July 14, 2023.

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Upon motion by Ms. Elliott Baxter, seconded by Ms. Gray, and approved by unanimous vote, the meeting adjourned at 7:31 p.m.

Deputy Clerk of the Urban County Council