

Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507



Docket

Tuesday, July 11, 2023

5:00 PM

Work Copy Docket

Council Chambers

Urban County Council

I. Roll Call**II. Invocation****III. Ordinances – Second Reading**

1. [0623-23](#) 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). Approval of the Proposed Text Amendment with Staff Alternative Text 6-3 [Div. of Planning, Duncan]
2. [0641-23](#) 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). Approval 9-0 (To Be Heard By August 23, 2023) [Div. of Planning, Duncan]
3. [0700-23](#) 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. [Div. of Budgeting, Lueker]
4. [0652-23](#) 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. [Div. of Human Resources, Walters]
5. [0655-23](#) 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. [Dept. of Finance, Hensley]

6. [0659-23](#)

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. [Dept. of Finance, Hensley]

7. [0699-23](#)

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. [Council Office, Maynard]

IV. Resolutions – Second Reading

1. [0686-23](#) 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. (2 Bids, Low) [Martin]
2. [0671-23](#) 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. [Div. of Human Resources, Walters]
3. [0633-23](#) 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. [Div. of Police, Weathers]
4. [0642-23](#) 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. [Div. of Enhanced 911, Patton]

5. [0647-23](#) 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. [Mayor's Office, Bencz]
6. [0651-23](#) 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. [Div. of Water Quality, Martin]
7. [0653-23](#) 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). [Dept. of Finance, Hensley]
8. [0656-23](#) 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. [Dept. of Finance, Hensley]
9. [0657-23](#) 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. [Div. of Police, Weathers]
10. [0658-23](#) 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. [Dept. of Finance, Hensley]
11. [0660-23](#) 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. [Div. of Waste Management, Thurman]

12. [0662-23](#) 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. [Div. of Aging and Disability Services, Stambaugh]
13. [0663-23](#) 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. [Div. of Engineering, Burton]
14. [0664-23](#) 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. [Div. of Water Quality, Martin]
15. [0665-23](#) 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. [Div. of Environmental Services, Carey]
16. [0666-23](#) 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. [Office of the Chief Administrative Officer, Hamilton]

17. [0668-23](#) 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. [Div. of Police, Weathers]

V. Resolutions – First Reading

18. [0645-23](#) A Resolution accepting the bid of Office 360, Inc., in the amount of \$41,840, for Intensive Use Chairs, for the Div. of Central Purchasing, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Office 360, Inc., related to the bid. (6 Bids, Low) [Slatin]
19. [0689-23](#) A Resolution accepting the bid of Nickless Schirmer & Co., Inc., in the amount of \$29,018.27, for Media Equipment, for the Div. of Community Corrections, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Nickless Schirmer & Co., Inc, related to the bid, and pending approval of any necessary Budget amendments (2 Bids, Low) [Colvin]
20. [0697-23](#) A Resolution accepting the bid of Marrillia Design and Construction, in the amount of \$4,972,312, for Town Branch Park Access Improvements, for the Div. of Engineering, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Marrillia Design and Construction, related to the bid. (5 Bids, Low) [Burton]
21. [0701-23](#) A Resolution accepting the bid of Judy Construction Co., in the amount of \$7,690,000 for the Armstrong Mill/Delong Rd. Pump Station Replacement, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Judy Construction Co., related to the bid. (5 Bids, Low) [Martin]

22. [0702-23](#) A Resolution accepting the bid of Tribute Contracting & Consultants, LLC, in the amount of \$4,994,727, for Wolf Run Trunk F, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Tribute Contracting & Consultants, LLC, related to the bid, and pending approval of any necessary Budget amendments. (4 Bids, Low) [Martin]
23. [0735-23](#) A Resolution accepting the bids of Bluegrass Contracting Corporation; BMI LLC dba BMI Builds; Advanced Mulching Technologies, Inc. dba EcoGro; Haire Construction, LLC; L-M Asphalt Partners, Ltd. dba ATS Construction; Shunar Concrete & Construction, LLC; Tom Chesnut Excavation & Construction, LLC; and Woodall Construction Co., Inc., of Ky., establishing price contracts for Parks Construction UPC, for the Div. of Parks and Recreation. (8 Bids) [Div. of Parks and Recreation, Conrad]
24. [0736-23](#) A Resolution accepting the bids of Kalkreuth Roofing & Sheet Metal Inc.; Pearce Blackburn Roofing, LLC; the Bri-Den Co., Inc.; and Tri-State Roofing & Sheet Metal Co. of Ky., establishing price contracts for roof repairs and maintenance, for the Div. of Facilities and Fleet Management. (4 Bids) [Baradaran]
25. [0738-23](#) A Resolution ratifying the Permanent Classified Civil Service Appointment of: Daniel Stamper, Safety Specialist, Grade 518N, \$25.285 hourly in the Div. of Streets and Roads, effective June 19, 2023. [Div. of Human Resources, Walters]

VI. Communications From The Mayor (For Information Only)

- [0739-23](#)
- (1) Probationary Classified Civil Service Appointment of Oliver Steele, Dir. of Code Enforcement, Grade 526E, \$3,410.48 biweekly in the Div. of Code Enforcement, effective July 17, 2023;
 - (2) Probationary Classified Civil Service Appointment of Katrina James, Administrative Specialist Sr., Grade 518N, \$26.561 hourly in the Div. of Grants and Special Programs, effective August 1, 2023;
 - (3) Probationary Classified Civil Service Appointment of Victor Reyes Figueroa, Resource Recovery Operator, Grade 515N, \$21.814 hourly in the Div. of Waste Management, effective July 17, 2023;
 - (4) Probationary Classified Civil Service Appointment of James Beattie, Resource Recovery Operator, Grade 515N, \$20.684 hourly in the Div. of Waste Management, effective July 17, 2023;

- (5) Probationary Classified Civil Service Appointment of Candice Long, Administrative Specialist Sr., Grade 518N, \$25.715 hourly in the Div. of Community and Resident Services, effective July 17, 2023;
- (6) Probationary Classified Civil Service Appointment of Grant Leonard, Security Officer, Grade 511N, \$17.894 hourly in the Dept. of Public Safety, effective July 3, 2023;
- (7) Probationary Classified Civil Service Appointment of Patricia Nolan, Telecommunicator Sr., Grade 519N, \$25.579 hourly in the Div. of Enhanced 911, effective July 10, 2023;
- (8) Probationary Classified Civil Service Appointment of Robin Wilkerson, Family Services Center Manager, Grade 524E, \$3,283.68 biweekly in the Div. of Family Services, effective July 17, 2023;
- (9) Probationary Classified Civil Service Appointment of Justin Shelton, Fleet Parts Specialist, Grade 512N, \$19.599 hourly in the Div. of Facilities and Fleet Management, effective July 17, 2023;
- (10) Probationary Community Corrections Officer Appointment of Cheryl Durham, Community Corrections Officer, Grade 110N, \$24.205 hourly in the Div. of Community Corrections, effective July 3, 2023;
- (11) Probationary Community Corrections Officer Appointment of Dylan LeCompte, Community Corrections Officer, Grade 110N, \$24.205 hourly in the Div. of Community Corrections, effective July 3, 2023;
- (12) Probationary Community Corrections Officer Appointment of Robert Leslie, Community Corrections Officer, Grade 110N, \$24.205 hourly in the Div. of Community Corrections, effective July 3, 2023;
- (13) Probationary Community Corrections Officer Appointment of Skylar Crump, Community Corrections Officer, Grade 110N, \$24.205 hourly in the Div. of Community Corrections, effective July 3, 2023;
- (14) Probationary Community Corrections Officer Appointment of Joshua Lee, Community Corrections Officer, Grade 110N, \$24.205 hourly in the Div. of Community Corrections, effective July 3, 2023;
- (15) Probationary Community Corrections Officer Appointment of Tiffany Hall, Community Corrections Officer, Grade 110N, \$24.205 hourly in the Div. of Community Corrections, effective July 3, 2023;
- (16) Probationary Community Corrections Officer Appointment of Jenny Elliott, Community Corrections Officer, Grade 110N, \$24.205 hourly in the Div. of Community Corrections, effective July 3, 2023;

- (17) Probationary Community Corrections Officer Appointment of Jakisha Bell, Community Corrections Officer, Grade 110N, \$24.205 hourly in the Div. of Community Corrections, effective July 3, 2023;
- (18) Probationary Sworn Appointment of Evan Northcutt, Police Sergeant, Grade 315N, \$41.300 hourly in the Div. of Police, effective July 17, 2023;
- (19) Probationary Sworn Appointment of Scott Evely, Police Sergeant, Grade 315N, \$41.300 hourly in the Div. of Police, effective July 17, 2023;
- (20) Classified Civil Service Voluntary Demotion of Christina Runk, Telecommunicator, Grade 517N, \$24.116 hourly in the Div. of Enhanced 911, effective July 3, 2023;
- (21) Classified Civil Service Reinstatement of Brandon Simpson, Safety Officer, Grade 515N, \$21.845 hourly in the Div. of Police, effective June 19, 2023;
- (22) Classified Civil Service Temporary Appointment of Calvin Trowel, Public Service Worker Sr., Grade 510N, \$19.688 hourly in the Div. of Streets & Roads, effective July 3, 2023;
- (23) Termination of Terrance Jackson, Resource Recovery Operator, Div. of Waste Management, effective June 13, 2023;
- (24) Termination of Stacey Campbell, Custodial Worker, Div. of Facilities and Fleet Management, effective June 27, 2023;
- (25) Resignation of Markus Chambers, Treatment Plant Operator, Div. of Water Quality, effective June 5, 2023;
- (26) Resignation of Connie Smith, Community Corrections Officer, Div. of Community Corrections, effective June 10, 2023;
- (27) Resignation of Avery Johnson, Resource Recovery Operator, Div. of Waste Management, effective June 17, 2023;
- (28) Resignation of Joseph Sisson, Evidence Specialist, Div. of Police, effective June 1, 2023;
- (29) Resignation of Donnie Jent, Resource Recovery Operator, Div. of Waste Management, effective June 17, 2023;
- (30) Resignation of Blake Leathers, Police Officer, Div. of Police, effective June 24, 2023;
- (31) Resignation of Amy Baker, Program Coordinator, Dept. of Social Services, effective June 17, 2023;
- (32) Resignation of Thomas Clements, Municipal Engineer, Sr., Div. of Engineering, effective May 27, 2023;
- (33) Resignation of Noah Tuttle, Police Officer - Trainee, Div. of Police, effective June 6, 2023;
- (34) Resignation of Tyler Morton, Aide to Council, Council office, effective June 28, 2023;
- (35) Resignation of Brian Roach, Park Designer, Div. of Parks

and Recreation, effective May 27, 2023;

(36) Resignation of Christopher Woodall, Planning Manager, Div. of Planning, effective June 24, 2023;

(37) Resignation of Dajuan Lewis, Resource Recovery Operator, Div. of Waste Management, effective June 17, 2023;

(38) Resignation of DeWayne Lewis, Jr., Resource Recovery Operator, Div. of Waste Management, effective June 17, 2023;

(39) Resignation of Woodford Jones, Public Service Worker, Sr., Div. of Water Quality, effective June 24, 2023;

(40) Resignation of William Davidson, Public Service Worker, Div. of Aging and Disability Services, effective July 1, 2023;

(41) Resignation of Makenzie Ocampo, Police Officer - Trainee, Div. of Police, effective June 9, 2023;

(42) Resignation of John Clay, Resource Recovery Operator, Div. of Waste Management, effective June 17, 2023;

(43) Resignation Monyreth Thachan, Police Officer - Trainee, Div. of Police, effective June 7, 2023;

(44) Resignation of Elizabeth Walls, Staff Assistant Sr., Div. of Parks and Recreation, effective June 10, 2023;

(45) Resignation of William Gonzales, Police Officer, Div. of Police, effective June 12, 2023;

(46) Resignation of John Horn, Security Officer, Dept. of Public Safety, effective May 27, 2023;

(47) Resignation of Jennifer Johnson Koch, Family Services Center Manager, Div. of Family Services, effective June 1, 2023;

(48) Resignation of Erin Daniel, Telecommunicator, Div. of Enhanced 911, effective June 11, 2023;

(49) Resignation of Joshua Hieneman, Telecommunicator, Div. of Enhanced 911, effective June 22, 2023;

(50) Resignation of Sha'tari, Miller, Community Corrections Officer, Div. of Community Corrections, June 2, 2023;

(51) Resignation of Carlotta Poole, Customer Service Specialist, Div. of LexCall, effective May 31, 2023; and,

(52) Resignation of Christopher Watkins, Police Officer - Trainee, Div. of Police, effective June 6, 2023.

VII. Fire/Police Discipline - YES

VIII. Announcements

IX. Public Comments

Adjournment

