

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Minutes

Tuesday, June 11, 2024

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

I. Public Comment - Issues on Agenda

Present 15 - Dan Wu, James Brown, Chuck Ellinger, Tayna Fogle, Shayla Lynch, Hannah LeGris, Brenda Monarrez, Liz Sheehan, Denise Gray, Preston Worley, Fred Brown, Whitney Elliott Baxter, Dave Sevigny, Jennifer Reynolds, and Kathy Plomin

Absent 0

II. Requested Rezonings/ Docket Approval

A motion was made by Council Member Plomin, seconded by Council Member Gray, that the be Approved The motion PASSED by unanimous vote.

An Ordinance changing the zone from a Single Family Residential (R-1C) zone to a Townhouse Residential (R-1T) zone, for 0.458 net (0.600 gross) acres, for property located at 800 and 802 Golfview Dr. (Anthony Humphress; Council District 11). Approval 8-0 (To Be Heard By July 24, 2024) [Div. of Planning, Duncan]

A motion was made by Council Member Jennifer Reynolds, seconded by Council Member Dan Wu, that this Ordinance be Approved and Referred to Docket without Hearing.and sent to the Urban County Council to return on 6/13/2024.The motion PASSED by unanimous vote.

A motion was made by Council Member Dan Wu, seconded by Council Member Whitney Elliott Baxter, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 6/13/2024.The motion PASSED by unanimous vote.

An Ordinance changing the zone from a professional office (P-1) zone to a Medium Density Residential (R-4) zone, for 13.09 net (13.82 gross) acres, for property located at 2350 Remington Way (Denton Floyd Real Estate Group; Council District 2). Approval 8-0 (To Be Heard by July 24, 2024) [Div. of Planning, Duncan]

A motion was made by Council Member Shayla Lynch, seconded by Council Member Whitney Elliott Baxter, that this Ordinance be Approved and Referred to Docket without Hearing.and sent to the Urban County Council to return on 6/13/2024.The motion PASSED by unanimous vote.

III. Approval of Summary

Table of Motions: Council Work Session, May 28, 2024

A motion was made by Council Member Dave Sevigny, seconded by Council Member Denise Gray, that this Summary be Approved.The motion PASSED by unanimous vote.

IV. Budget Amendments

Approved

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. 0046.

A motion was made by Council Member Chuck Ellinger II, seconded by Council Member Tayna Fogle, that this Agenda Item be Approved and Referred to Docket and sent to the Urban County Council to return on 6/13/2024. The motion PASSED by unanimous vote.

V. Budget Adjustments - For Information Only

VI. New Business

VII. Communications From the Mayor - Appointments

A motion was made by Council Member Wu, seconded by Council Member Fogle, that the be Approved The motion PASSED by unanimous vote.

VIII. Communications From the Mayor - Donations

IX. Communications From the Mayor - Procurements

A motion was made by Council Member Fogle, seconded by Council Member Plomin, that the be Approved The motion PASSED by unanimous vote.

X. Continuing Business/ Presentations

Present 14 - Dan Wu, James Brown, Chuck Ellinger, Tayna Fogle, Shayla Lynch, Hannah LeGris, Brenda Monarrez, Liz Sheehan, Denise Gray, Preston Worley, Whitney Elliott Baxter, Dave Sevigny, Jennifer Reynolds, and Kathy Plomin

Absent 1 - Fred Brown

Summary: General Government and Planning Committee, May 7, 2024

A motion was made by Council Member Liz Sheehan, seconded by Council Member Jennifer Reynolds, that this Agenda Item be Amended. The motion PASSED by majority vote (Council Member Worley and Council Member Ellinger voted no, Council Member F. Brown was absent).

A motion was made by Council Member Preston Worley, seconded by Council Member Chuck Ellinger II, that this Agenda Item be Approved and Referred to Docket and sent to the Urban County Council to return on 6/13/2024. The motion PASSED by unanimous vote.

Public Input Subcommittee Partial Report-Out

A motion was made by Council Member Preston Worley, seconded by Council Member Whitney Elliott Baxter, that this Agenda Item be Approved and

Referred to Docket.and sent to the Urban County Council to return on 6/13/2024.The motion PASSED by unanimous vote.

Presentation: Lexington-Fayette Urban County Industrial Authority

A motion was made by Council Member James Brown, seconded by Council Member Tayna Fogle, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 6/13/2024.The motion PASSED by majority vote (Council Member F. Brown was absent).

XI. Council Reports

Present 14 - Dan Wu, James Brown, Chuck Ellinger, Tayna Fogle, Shayla Lynch, Hannah LeGris, Brenda Monarrez, Liz Sheehan, Denise Gray, Preston Worley, Whitney Elliott Baxter, Dave Sevigny, Jennifer Reynolds, and Kathy Plomin

Absent 1 - Fred Brown

XII. Public Comment - Issues Not on Agenda

XIII. Adjournment

A motion was made by Council Member Monarrez, seconded by Council Member Elliott Baxter, that the be Adjourned The motion PASSED by unanimous vote.

Administrative Synopsis - New Business Items

- a. Authorization to establish Accent Wire Tie as a sole source provider to purchase baler wire for the Materials Recovery Facility (MRF) on behalf of the LFUCG Division of Waste Management. (L0522-24) (Thurman/Albright)
- A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 6/13/2024.The motion PASSED by unanimous vote.**
- b. Authorization to execute a Memorandum of Agreement (MOA) with the Kentucky Transportation Cabinet (KYTC), under which LFUCG shall be paid to perform turf mowing and trimming of vegetation along certain roads under the control of KYTC, for a period of July 1, 2024, through June 30, 2026. Amounts will vary depending on the number of mows but will not exceed the contract amount of \$362,534. Funds are included in the FY 2025 Mayor's Proposed Budget. (L0567-24) (Carey/Albright)
- A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 6/13/2024.The motion PASSED by unanimous vote.**
- c. Authorization to amend Ordinance No. 153-2013, as amended by Ordinance No. 187-2016, and update the recommended Lexington Jobs Fund Policies and Guidelines. The Economic Development Investment Board (EDIB) unanimously approved the recommended changes on May 7, 2024. No budgetary impact. (L0568-24) (Glasscock/Atkins)
- A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 6/13/2024.The motion PASSED by unanimous vote.**
- d. Authorization for the acceptance of Deeds of Conveyance and Easement from the owners of record on properties needed for the construction of the Mason Headley Improvements Project at a cost not to exceed \$369,000. Funds are budgeted. (L0570-24) (Burton/Albright)
- A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 6/13/2024.The motion PASSED by unanimous vote.**
- e. Authorization to allow an inducement to Infineon Technologies, LLC for

local participation in the Kentucky Business Investment (KBI) Program, which includes a 10-year local 1% wage assessment through KBI. The company is a semiconductor manufacturer. Infineon Technologies has selected Lexington to be a major growth site for Infineon America. (L0572-24) (Atkins)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to return on 6/13/2024. The motion PASSED by unanimous vote.

- f** Authorization to execute a Public Infrastructure Program Forgivable Loan Agreement with Wellington Park Apartments LLC in the amount of \$500,000 for the construction of an access road and related infrastructure from Wellington Way to a proposed senior affordable apartment project located at 3125 Dorchester Place. Funds are budgeted. (L0573-24) (Bencz/Atkins)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to return on 6/13/2024. The motion PASSED by unanimous vote.

- g** Authorization execute the amendment to an agreement with NAMI Lexington to budget \$170,000 to provide for an expansion of mental health court services to eligible low/moderate income persons and to extend the period of performance to December 31, 2025, and to execute any other agreements or amendments with NAMI Lexington related to the use of these funds. Funds are budgeted. (L0578-24) (Reynolds/Lanter)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to return on 6/13/2024. The motion PASSED by unanimous vote.

- h** Authorization to execute Change Order No. 2 with Bluegrass Contracting Corporation for the construction of Davis Park. The change order is for an increase of \$6,498.25 and to accept additional grant funds from KYTC in the amount of \$4,979.25. The total contract amount will increase from \$1,141,801.00 to \$1,148,299.25. (L0579-24) (Conrad/Ford)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to return on 6/13/2024. The motion PASSED by unanimous vote.

- i** Authorization to purchase a Clearpass Digital Full Body Security Screening System from Romaine Companies, a sole source provider, for the Division of Community Corrections for the purpose of security inspection and identification of a foreign object on or in a human body.

The total cost of the purchase is \$173,000. Funds are budgeted. (L0580-24) (Colvin/Armstrong)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 6/13/2024.The motion PASSED by unanimous vote.

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Authorization to engage Crosslin, PLLC, to conduct a financial audit of all Lexington-Fayette Urban County Government funds for FY 2024 for an amount not to exceed \$187,250 (FY2025), and to execute a Letter Agreement and any other necessary documents with Crosslin, PLLC related to the audit. Funds are included in the FY 2025 Mayor's Proposed Budget. (L0581-24) (Slatin/Hensley)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 6/13/2024.The motion PASSED by unanimous vote.

k

Authorization to amend the classified civil service authorized strength by creating one (1) classified civil service position of Program Specialist (Grade 514N) and creating one (1) classified civil service position of Community Outreach Program Manager (Grade 522E) in the Division of Environmental Services. This action was approved by the FY 2024 budget process. (L0582-24) (George/Hamilton)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 6/13/2024.The motion PASSED by unanimous vote.

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Authorization to execute an agreement with Nelson Systems, Inc., pursuant to RFP No. 28-2024, for an Eventide Logging Recorder, including two years of paid maintenance, at a cost of \$268,350.21. Funds are budgeted. (L0583-24) (Patton/Armstrong)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 6/13/2024.The motion PASSED by unanimous vote.

m

Authorization to create one (1) unclassified position of Mobile Crisis Responder (Grade 519N) in the Division of Fire & Emergency Services, effective upon passage of Council. The fiscal impact of this position is \$80,735.19 and is funded from the Kentucky Community Crisis CoResponder Grant through June 30, 2027. (L0584-24) (George/Hamilton)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 6/13/2024.The motion PASSED by unanimous vote.

n The Division of Enhanced 911 is requesting a resolution authorizing the Mayor to change street names and/or individual numbers of addresses within the 2nd, 9th, 10th, and 11th Council District. 1875 Newtown Pike to 1850 Pisacano Drive, 1201 Greendale Rd. to 2445 Mulundy Way, 3211 Nicholasville Rd. to 101 Lexington Green Cir., 1016 S Broadway to 380 Virginia Ave., 152 Jefferson St. to 161 Bruce St., 1210 Red Mile Rd. to 751 Tattersalls Way, 544 S. Forbes Rd. to 1307 Versailles Rd., 2160 Versailles Rd. to 988 Mason Headley Rd.

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to return on 6/13/2024. The motion PASSED by unanimous vote.

o Authorization to execute a Consultant Services Agreement, pursuant to RFP No. 9-2024, and award the Complete Streets Design Manual project to Toole Design Group, LLC at a cost not to exceed \$450,000. Federal funds of \$360,000 and local matching funds of \$90,000 are budgeted. (L0586-24) (Duncan/Horn)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to return on 6/13/2024. The motion PASSED by unanimous vote.

p Authorization to execute an agreement for federal funding in the amount of \$360,000 from the Kentucky Transportation Cabinet for the Complete Street Design Standards Project for FY2024. Local grant match in the amount of \$90,000 is budgeted in the FY 2024 General Fund. (L0587-24) (Duncan/Horn)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to return on 6/13/2024. The motion PASSED by unanimous vote.

q Authorization to execute a revised Conditional Commitment letter for accepting an award of federal funding from the Kentucky Cleaner Water Round 2 Grant (American Rescue Plan Act funds) for Ultraviolet Disinfection Systems at both treatment plants (Consent Decree projects) in the amount of \$1,281,696. (L0588-24) (Martin/Albright)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to return on 6/13/2024. The motion PASSED by unanimous vote.

r Authorization to approve and adopt a substantial amendment to the 2019 Consolidated Plan Annual Action Plan and reallocate funding from several existing Cares Act Community Development Block Grant (CDBG-CV) projects. The unspent funds will be used for one new

project and increase funding to an existing project resulting in a net zero change in total CDBG_CV funding and expense to LFUCG. (L589-24) (Reynolds/Lanter)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 6/13/2024.The motion PASSED by unanimous vote.

s Authorization to execute a Memorandum of Agreement with the Kentucky Science and Technology Corporation (KSTC) and the Kentucky APEX Accelerator to provide joint classes, outreach events and webinars that support the LFUCG Minority Business Enterprise Program at a cost not to exceed \$8,400.00. Funds are budgeted. (L0590-24) (Slatin/Hensley)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 6/13/2024.The motion PASSED by unanimous vote.

t Authorization to execute Contract Modification No. 3 with Gresham Smith for the completion of Phase III archaeological data recovery in the amount of \$485,094 for the Legacy Business Park project, bringing the total contract cost to \$3,033,304. Funds are budgeted. (L0591-24) (Bencz/Atkins)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 6/13/2024.The motion PASSED by unanimous vote.

u Authorization to amend chapter 13-13(B)(19) of the Code of Ordinances to create medicinal cannabis fees licenses and setting fees, creating sections 13-83 through 13-92 to establish definitions, license requirements, prohibitions on operating without a license within Lexington-Fayette County, taxation, enforcement and appeals provisions, and provisions to deny, revoke, or fail to renew a special fees license. Medicinal cannabis business licensing can begin on July 1, 2024. Kentuckians can apply for a medical cannabis card on January 1, 2025. Local governments may enact ordinances regarding licensed cannabis businesses relating to the time, place, and manner of the business; and may establish reasonable fees to offset the operations of those businesses. No budgetary impact. (L0592-24) (Holbrook/Hensley)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 6/13/2024.The motion PASSED by unanimous vote.

v Authorization to accept the proposals for FY 2025 for Excess Liability

Insurance from Marsh & McLennan Insurance Agency, and to execute any necessary contracts and documents on behalf of the Urban County Government with the following insurance companies and/or their respective broker Marsh & McLennan Agency: Aviation from Westchester Fire Insurance (Chubb) at a cost not to exceed \$54,014.06; General, Public Officials, Auto, Employer, Law Enforcement Liabilities from Safety National Casualty Corporation at a cost not to exceed \$779,655.74; On the road Auto from Safety National Casualty Corporation at a cost not to exceed 64,341.66; Excess Liability from Gemini Insurance Co. at a cost not to exceed \$538,850.16; Property from Affiliated Factory Mutual (FM) at a cost estimated at \$800,418.00; Cyber from Axis Company at a cost not to exceed \$56,745.36; Pollution from Illinois Union Insurance Co. (Chubb) at a cost not to exceed \$27,695.96; and Workers' Compensation from Safety National Casualty Corporation at a cost not to exceed \$515,201.00, for a total of \$2,836,921.94 in premiums for FY 2025. All subject to sufficient funds being appropriated. (L0593-24) (George/Hamilton)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 6/13/2024.The motion PASSED by unanimous vote.

w

Authorization to establish AE Electrical Solutions as a sole source provider for on-going maintenance to the electrical system at the LFUCG Materials Recovery Facility (MRF). (L0594-24) (Thurman/Albright)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 6/13/2024.The motion PASSED by unanimous vote.

x

Authorization to establish Machinex Technologies as a sole source vendor for parts and services at the Materials Recovery Facility (LEX-MRF). (L0595-24) (Thurman/Albright)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 6/13/2024.The motion PASSED by unanimous vote.

y

Authorization to establish Resource Recycling Systems (RRS) as a sole source provider to obtain Professional Consulting Services for the Division of Waste Management to assist with various capital and operational improvements at the Materials Recovery Facility. (L0596-24) (Thurman/Albright)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 6/13/2024.The

motion PASSED by unanimous vote.

z Authorization to establish Bullitt County Belting & Supply as a sole source provider to purchase parts, repairs and installation services for the Materials Recovery Facility (MRF) on behalf of the LFUCG Division of Waste Management. (L0597-24) (Thurman/Albright)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 6/13/2024.The motion PASSED by unanimous vote.

aa Authorization to enter into an agreement with American Response Vehicle (ARV) for the purchase of four (4) new emergency care apparatus at the cost of \$1,737,000. Funds are budgeted in FY 2024 Bond Fund. (L0600-24) (Wells/Armstrong)

A motion was made by Council Member Hannah LeGris, seconded by Council Member Kathy Plomin, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 6/13/2024.The motion PASSED by unanimous vote.