

Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507



Minutes

Tuesday, August 20, 2024

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

I. Public Comment - Issues on Agenda

- Present** 14 - Dan Wu, James Brown, Chuck Ellinger, Tayna Fogle, Shayla Lynch, Hannah LeGris, Liz Sheehan, Denise Gray, Preston Worley, Fred Brown, Whitney Elliott Baxter, Dave Sevigny, Jennifer Reynolds, and Kathy Plomin
- Absent** 1 - Brenda Monarrez

II. Requested Rezonings/ Docket Approval

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

An Ordinance modifying a Conditional Zoning Restriction to increase allowable square footage from 60,000 to 80,000 square feet for 5.124 net (5.510 gross) acres, for property located at 3743 Red River Dr. (3743 Freedom, LLC; Council District 8). Approval 11-0 (**To Be Heard by September 25, 2024**). [Div. of Planning, Duncan]

A motion was made by Council Member Fred Brown, seconded by Council Member Chuck Ellinger II, that this Ordinance be Approved and Referred to Docket without Hearing.and sent to the Urban County Council to return on 8/22/2024.The motion PASSED by unanimous vote.

An Ordinance changing the zone from a Neighborhood Business (B-1) Zone to a Medium-Density Residential (R-4) Zone, for .31 net (0.52 gross) acres, for property located at 226, 228, and 232 W. Maxwell Street (New Republic Architecture; Council District 3). Approval 10-1(**To Be Heard By September 25, 2024**) [Div. of Planning, Duncan]

A motion was made by Council Member Hannah LeGris, 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 8/22/2024.The motion PASSED by unanimous vote.

III. Approval of Summary

- a** Table of Motions: Council Work Session, July 9, 2024

A motion was made by Council Member Dan Wu, seconded by Council Member Kathy Plomin, that this Summary be Approved.The motion PASSED by unanimous vote.

IV. Budget Amendments

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 2025 SCHEDULE NO. 0005.

A motion was made by Council Member Kathy Plomin, seconded by Council Member Whitney Elliott Baxter, that this Ordinance be Approved and Referred to Docket.and sent to the Urban County Council to return on 8/22/2024.The motion PASSED by unanimous vote.

AN ORDINANCE AMENDING CERTAIN OF THE BUDGETS OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT TO PROVIDE FUNDS FOR PURCHASE ORDERS AND PRE-PAID EXPENSES ROLLING FROM FY 2024 INTO FY 2025, AND APPROPRIATING AND RE-APPROPRIATING FUNDS, SCHEDULE NO 0006.

A motion was made by Council Member Kathy Plomin, seconded by Council Member Whitney Elliott Baxter, that this Ordinance be Approved and Referred to Docket.and sent to the Urban County Council to return on 8/22/2024.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 Reynolds, seconded by Council Member Fogle, that the be Approved The motion PASSED by unanimous vote.

VIII. Communications From the Mayor - Donations

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

IX. Communications From the Mayor - Procurements

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

X. Continuing Business/ Presentations

a Council Capital Projects, August 20, 2024

A motion was made by Council Member Tayna Fogle, seconded by Council Member Jennifer Reynolds, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 8/22/2024.The motion PASSED by unanimous vote.

b Summary: Environmental Quality & Public Works Committee, June 18, 2024

Received and Filed

Explore Lexington's Sustainability Options

A motion was made by Council Member Liz Sheehan, seconded by Council Member Hannah LeGris, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 8/22/2024.The motion PASSED by unanimous vote.

c Presentation: Fayette County Conservation District Annual Report

Received and Filed

d Presentation: FY2025 Ad Valorem

Received and Filed

A motion was made by Council Member James Brown, 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 8/22/2024.The motion PASSED by unanimous vote.

A motion was made by Council Member James Brown, seconded by Council Member Jennifer Reynolds, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 8/22/2024.The motion PASSED by unanimous vote.

A motion was made by Council Member James Brown, seconded by Council Member Hannah LeGris, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 8/22/2024.The motion PASSED by unanimous vote.

XI. Council Reports

XII. Public Comment - Issues Not on Agenda

XIII. Adjournment

Adjourned

Administrative Synopsis - New Business Items

- a** Authorization to utilize the second annual renewal (R427-2023) of the Professional Services Contract with ADS Environmental Services (ADS, LLC.), a sole source provider for sewer overflow monitoring/reporting services, at a cost not to exceed \$83,832.00 for a 12-month period. Funds are budgeted. (L0749-24) (Martin/Albright)
- A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.**
- b** Authorization to approve Summer Camp Facilitron Permits and Honorariums between the Fayette County Board of Education and the LFUCG Parks and Recreation, Extended School Program (ESP) at a cost of \$7,000. Funds are budgeted. (L0751-24) (Conrad/Ford)
- A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.**
- c** Authorization to execute a purchase of service agreement with the Roots and Heritage Festival, Inc. for the Roots and Heritage Festival, planned for September 6 - 8, 2024, for an amount of \$35,500. Funds are budgeted. (L0752-24) (Lyons/Scott)
- A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.**
- d** Authorization to execute a Memorandum of Understanding (MOU) with Waveland Woods, LLC., for the future development of a shared-use trail/pedestrian path over a portion of the property located at 1100 Armstrong Mill Road. Dedication of the easement for the Shared Use Path was a condition established on the development plan as a condition of approval, agreed to by the developer during the planning process. This is a future project and cost is still to be determined. (L0753-24) (Albright)
- A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.**
- e** Authorization to approve a Federal Equitable Sharing Agreement and Certification with the Department of Justice and the Department of the Treasury for participation in the federal equitable sharing program and the restrictions upon the use of federally forfeited cash, property,

proceeds, and any interest. No budgetary impact. (L0754-24)
(Weathers/Armstrong)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

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Authorization to execute Purchase of Service Agreements with 32 Extended Social Resource (ESR) Program - Community Based Initiatives grantee agencies, pursuant to RFP #18-2024 Community Wellness and Safety, RFP #19-2024 Childhood and Youth Development, RFP #20-2024 Food Insecurity and Nutritional Access, and RFP #21-2024 Mental Health, for a total cost of \$2,877,020 for FY 2025, the first year of the two-year grant award. Funds are budgeted. (L0755-24)
(Allen-Bryant)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

g

Authorization to execute a Memorandum of Agreement (“MOA”) between the U.S. Army Corps of Engineers (“USACE”), the Kentucky State Historic Preservation Officer, and LFUCG to establish permitting stipulations for the Legacy Business Park project. No budgetary impact. (L0756-24) (Bencz/Atkins)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

h

Authorization to establish MillerMendel, Inc. as a Sole Source provider for the purchase of the eSOPH Background Software System to streamline the background hiring process for the Lexington Police Department, at a cost of \$5,678.13. Funds are budgeted. (L0757-24) (Weathers/Armstrong)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

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Authorization to amend the agreement with Flock Group Inc. to cover the fees for the additional twenty-five (25) flock cameras, as well as the warranty and implementation of the cameras, at a prorated cost. No additional costs for this amendment; the total contract cost approved in Resolutions 163-2024 and 346-2024 does not change. (L758-24)
(Weathers/Armstrong)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

- j** Authorization to enter into a lease and service agreement with Safe Haven Baby Boxes, Inc. for a term of five (5) years at a cost of \$15,000 plus the installation costs. Funds are budgeted but the Knights of Columbus have committed to a donation to cover the FY 2025 costs. (L0759-24) (Wells/Armstrong)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

- k** Authorization to enter into an agreement with the University of Kentucky to onboard a Wellness Coordinator position to proactively address member health and wellness for a 1-year contract beginning on September 1, 2024, at a cost of \$100,000.00. Funds are budgeted. (L0760-24) (Wells/Armstrong)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

- l** Authorization to execute Change Order No. 2 (Final) with ATS Construction in the amount of \$182,474.10 for additional work on the Mt. Tabor Road Multimodal Improvements Project, increasing the total contract amount to \$1,891,546.21. Approval is contingent on approval by KYTC. Funds are budgeted. (L0761-24) (Burton/Albright)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

- m** Authorization to execute Supplemental Agreement No. 8 and accept award of \$500,000 from Kentucky Transportation Cabinet to modify the Sunset Agreement with the Kentucky Transportation Cabinet and the Lexington Community Land Trust for the Newtown Pike Extension Project. (L0762-24) (Burton/Albright)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

- n** Authorization to execute an Engineering Service Agreement with Hazen and Sawyer PSC, pursuant to RFP No. 38-2024, for design and construction management services required for the East Hickman Pump Station Expansion and Rehabilitation project. Cost not to exceed

\$312,341. Funds are budgeted. (L0763-24) (Martin/Albright)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

- o** Authorization to renew the data license agreement with Streetlight Data, Inc. to provide an online transportation analytics platform to monitor multimodal travel within Fayette and Jessamine Counties. The cost in FY 2025 is \$148,918. The subscription was originally purchased in FY 2023 with the option to renew for \$148,918 per year through FY 2026. Funds are budgeted. (L0764-24) (Neal/Albright)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

- p** Authorization to execute an agreement with the Kentucky Office of Homeland Security under the 2021 State Homeland Security Grant Program extending the period of performance through June 30, 2025, for the Lexington Police Department Air Support Unit to utilize remaining grant funds for the purchase of thermal camera cabling. All grant funds are budgeted. (L0766-24) (Weathers/Armstrong)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

- q** Authorization to submit an application requesting \$65,000 of federal funds and \$12,000 of state funds, and to accept the award if offered, from the Kentucky Justice Cabinet under the Violence Against Women Act Program for the continuation of a Sexual Assault Nurse Examiner Program in FY 2025. A local match of \$24,667 is required. Budget amendment in process. (L0767-24) (Weathers/Armstrong)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

- r** Authorization to submit an application, and accept an award if offered, to the Kentucky Office of Homeland Security under the Homeland Security Grant Program for funding in the amount of \$25,600 to further the Community Emergency Response Team (CERT) program conducted by the Division of Emergency Management. No grant match is required. (L0768-24) (Larkin/Armstrong)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

- s** Authorization to execute a Memorandum of Understanding with Fayette County Public Schools and Family Care Center, for transportation services for students and children enrolled in the Family Care Center's Parent Education Program during the 2024-2025 academic school year at an estimated cost of \$92,521.44. Funds are budgeted. (L0769-24) (Horton-Holt/Allen-Bryant)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

- t** Authorization to execute an agreement with Saint Joseph Health System in the amount of \$3,000 for use of the emergency room as a clinical practice area for the Sexual Assault Nurse Examiner Program for calendar year 2024. Funds are budgeted. (L0770-24) (Weathers/Armstrong)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

- u** Authorization to execute an amendment to the Picadome Neighborhood Association, Inc. Neighborhood Action Match agreement providing an extension of the project to December 1, 2024, at no additional cost. The extension is needed due to delays. No budgetary impact. (L0773-24) (Reynolds/Lanter)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

- v** Authorization to execute Contract Modification No. 5 to the professional services agreement with CDP Engineers in the amount of \$8,000.00, for additional engineering design services over and above the original scope of services for Clays Mill Road Section 1 Improvements. The new contract total is \$879,212.00. Funds are budgeted. (L0774-24) (Burton/Albright)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

- w** Authorization to execute a purchase of service agreement with the Lyric Theatre to provide funding support for FY 2025 in the amount of \$127,500. Funds are budgeted. (L0775-24) (Lyons/Scott)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

- x** Authorization to approve collaboration with Bluegrass Community Foundation and for grant payments to be made by 250LEX Commission to non-profit organizations for Lexington's 250th celebration and to execute contractual agreements between LFUCG, Bluegrass Community Foundation and each of the awarded non-profit organizations. Funds were raised from the private sector and are held by the Blue Grass Community Foundation. (L0776-24) (Lyons/Scott)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

- y** Authorization to amend Section 21-37(h) of the Code of Ordinances to authorize up to four hours of leave with pay for voting on an early alternate voting day. (L0777-24) (George/Hamilton)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

- z** Authorization to execute an agreement with Midway University to offer a 15% tuition discount on evening/online classes for all full-time Lexington-Fayette Urban County Government employees, their spouses and dependents at no cost to the Lexington-Fayette Urban County Government. (L0778-24) (George/Hamilton)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

- aa** Authorization to accept a Statement of Affiliation authorizing The Rescue Squad as the only Rescue Squad officially recognized by and affiliated with LFUCG, the Division of Emergency Management and the Kentucky Division of Emergency Management. No budgetary impact. (L0779-24) (Larkin/Armstrong)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

- bb** Authorization to abolish one (1) classified position of Staff Assistant Sr. (Grade 511N) and create one (1) classified position of Administrative Specialist (Grade 516N) in the Division of Human Resources, effective upon passage of Council at a cost not to exceed \$13,817.12. (L0780-24)

(George/Hamilton)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

cc

Authorization to accept equipment purchased by the Kentucky Department of Military Affairs, Division of Emergency Management with Chemical Stockpile Emergency Preparedness Program (CSEPP) funds. No budgetary impact. (L0781-24) (Larkin/Armstrong)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

dd

Authorization to execute Supplemental Agreement No. 1 and accept additional federal Surface Transportation Program (SLX) funds in the amount of \$48,000 for the design phase of the Lane Allen Sidewalk Project as funded under the Kentucky Transportation Cabinet Surface Transportation Program (SLX) for capital improvements projects. A local match of \$12,000 is required, bringing the total design phase cost to \$210,000. Budget amendment in process. (L0782-24) (Burton/Albright)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

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Authorization to execute an agreement with GRW Engineers, Inc. in the amount of \$205,962 for the design phase of the Lane Allen Sidewalk Connectivity Project. Authorization shall be contingent upon a concurrent request for approval to execute Supplemental Agreement No.1 with the Kentucky Transportation Cabinet (KYTC) to accept additional federal Surface Transportation Program (SLX) funds. (L0783-24) (Burton/Albright)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

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Authorization to amend the classified civil service authorized strength by changing the classification title of one (1) classified civil service position of IT Business Relationship Manager (Grade 528E) to Technical Architect (Grade 528E), in the Division of Enterprise Solutions, effective upon passage of council. No budgetary impact. (L0784-24) (George/Hamilton)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

gg Authorization to increase salaries for all School Crossing Guards P/T by 3.0%. Effective retroactive to August 12, 2024, at an annual cost not to exceed \$12,277.00. Funds are budgeted. (L0785-24) (George/Hamilton)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

hh Authorization to enter into an agreement with the Kentucky Energy and Environment Cabinet to facilitate a county-wide tire disposal event to be held October 31 through November 2, 2024, at a cost of \$10,500. Funds are budgeted. (L0786-24) (Howard/Albright)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.

ii Authorization to amend the classified civil service and unclassified civil service strength as approved in the FY 2025 budget and to amend sworn authorized strength in the Division of Police with a fiscal impact of \$359,706.79 that will be covered by vacancies within the division. (L0787-24) (George/Hamilton)

A motion was made by Council Member Whitney Elliott Baxter, 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 8/22/2024.The motion PASSED by unanimous vote.