

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky July 11, 2023

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on July 11, 2023 at 5:03 p.m. Present were Vice Mayor Wu in the chair presiding, in the absence of Mayor Gorton, and the following members of the Council: Reynolds, Sevigny, Sheehan, Worley, F. Brown, J. Brown, Ellinger, Elliott Baxter, Gray, LeGris, Lynch, and Plomin. Absent were Council Members Fogle and Monarrez.

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

Ordinances No. 65-2023 through 73-2023, inclusive, and Resolutions No. 341-2023 through 371-2023, inclusive, were reported as having been signed and published and ordered to record.

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The Invocation was given by Michael Swartzentruber, Sr. Minister of South Elkhorn Christian Church.

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At 5:14 p.m., Ms. Fogle joined the meeting.

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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) received second reading.

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

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

Nay: -----0

Recuse: Ellinger

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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 received second reading.

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

Aye:	Reynolds, Sevigny, Sheehan, Worley, Wu, F. Brown, J. Brown, Elliott Baxter, Fogle, Gray, LeGris, Lynch, Plomin	-----13
Nay:		-----0
Recuse:	Ellinger	

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

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

Nay: -----0

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.

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The following ordinances received first reading and were ordered to be placed on file for public inspection until July 13, 2023:

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 2023 into FY 2024, and appropriating and re-appropriating funds, Schedule No. 3.

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. 2.

An Ordinance amending the authorized strength by abolishing one (1) Classified Civil Service Position of Stores Clerk, Grade 509N, and creating one (1) Classified Civil Service Position of Public Service Worker Senior, Grade 510N, in the Div. of Streets and Roads, effective upon the passage of Council.

An Ordinance pursuant to Section 6.12 of the Charter of the Lexington-Fayette Urban County Government to reorganize and restructure a Div., as follows: renaming the Div. of Central Purchasing as the Div. of Procurement and amending the Classified Civil Service authorized strength by abolishing one (1) Classified Civil Service Position of Director of Purchasing, Grade 531E, and creating one (1) Classified Civil Service Position of Director of Procurement, Grade 531E, reclassifying the incumbent, abolishing two (2) Classified Civil Service Positions of Buyer Sr., Grade 521E, and creating two (2) Classified Civil Service Positions of Procurement Officer Sr., Grade 521E, reclassifying the incumbents, abolishing three (3) Classified Civil Service Positions of Buyer, Grade 517E, and creating three (3) Classified Civil Service Positions of Procurement Officer,

Grade 517E, reclassifying the incumbents, and transferring one (1) Classified Civil Service Position of Minority Program Coordinator, Grade 525E, and one (1) Classified Civil Service Position of Administrative Specialist, Grade 516N, and the incumbents in those positions, all in the Div. of Procurement; and further amending the Classified Civil Service authorized strength, as follows: creating one (1) position of Revenue Compliance Analyst, Grade 518N, in the Div. of Revenue; creating one (1) position of Computer Analyst, Grade 521E, abolishing one (1) position of Telecommunications Support Specialist, Grade 516N, and abolishing one (1) position of Network Systems Administrator Senior, Grade 524E, all in the Div. of Computer Services; abolishing one (1) position of Skilled Trades Worker, Grade 515N, in the Div. of Streets and Roads; abolishing one (1) position of Administrative Specialist Senior, Grade 518N, in the Dept. of Law; abolishing one (1) position of Administrative Officer, Grade 523E, in the Dept. of Public Safety; creating four (4) positions of Safety Officer, Grade 515N, and one (1) position of Victim's Advocate, Grade 518N, all in the Div. of Police; abolishing one (1) position of Nuisance Control Officer, Grade 515N, and creating one (1) position of Code Enforcement Officer Sr., Grade 518N, all in the Div. of Code Enforcement; creating one (1) position of Grants Manager, Grade 524E, in the Dept. of Social Services; abolishing one (1) position of Public Service Supervisor, Grade 517N, and creating four (4) positions of Vehicle and Equipment Technician Sr., Grade 519N, four (4) positions of Vehicle and Equipment Technician Principal, Grade 521N, seven (7) positions of Heavy Equipment Technician Sr., Grade 521N, and seven (7) positions of Heavy Equipment Technician Principal, Grade 523N, all in the Div. of Facilities and Fleet Management; abolishing one (1) position of Administrative Specialist, Grade 516N, in the Div. of Historic Preservation; creating one (1) position of Affordable Housing Specialist Sr., Grade 522N, in the Div. of Grants and Special Programs; abolishing one (1) position of Trades Worker, Grade 510N, one (1) position of Public Service Manager, Grade 522E, and one (1) position of Information Officer, Grade 518N, all in the Div. of Parks and Recreation; and amending the Unclassified Civil Service authorized strength as follows: abolishing one (1) position of Administrative Specialist Sr., Grade 518N, and one (1) position of Construction Project Administrator, Grade 528E, all in the Office of the Mayor; abolishing one (1) position of Clinical Services Supervisor, Grade 524E, in the Div. of Community Corrections;

abolishing one (1) position of Client Assessment Counselor, Grade 515N, and one (1) position of Juvenile Probation Officer, Grade 517N, all in the Div. of Youth Services; and amending the sworn authorized strength by creating two (2) sworn positions of Firefighter, Grade 311N, in the Div. of Fire and Emergency Services, all effective July 1, 2023; and amending the Classified Civil Service authorized strength by reallocating three (3) Classified Civil Service Positions of Fleet Operations Manager and the incumbents in those positions from Grade 523E to Grade 527E, reallocating three (3) Classified Civil Service Positions of Fleet Operations Supervisor and the incumbents in those positions from Grade 520N to Grade 525N, and reallocating twelve (12) Classified Civil Service Positions of Vehicle and Equipment Technician and the incumbents in those positions and vacant positions from Grade 516N to Grade 517N, all in the Div. of Facilities and Fleet Management, and reallocating one (1) Classified Civil Service Position of Fleet Operations Manager, and the incumbent in that position from Grade 523E to Grade 527E, in the Div. of Fire and Emergency Services, all effective July 3, 2023.

An Ordinance amending the Classified Civil Service authorized strength to include changes resulting from Administrative Review, as follows: abolishing one (1) Classified Civil Service Position of Information Systems Business Analyst, Grade 529E, and creating one (1) Classified Civil Service Position of Enterprise Resource Planning Manager, Grade 529E, retitling the incumbent, in the Div. of Enterprise Solutions; abolishing two (2) Classified Civil Service Positions of Accounting Technician, Grade 510N, and creating two (2) Classified Civil Service Positions of Accounts Payable Assistant, Grade 510N, retitling the incumbents, in the Div. of Accounting; abolishing one (1) Classified Civil Service Position of Program Specialist, Grade 514E, and creating one (1) Classified Civil Service Position of Community Engagement Coordinator, Grade 514E, in the Dept. of Social Services; reallocating three (3) Classified Civil Service Positions of Evidence Technician and the incumbents in those positions from Grade 515N to Grade 516N, in the Div. of Police; and amending the Unclassified Civil Service authorized strength as follows: changing the job classification code of one (1) Unclassified Civil Service Position of Program Specialist and one (1) Unclassified Civil Service Position of Program Specialist P/T from 4108 to 108, in the Dept. of Social Services, with all changes to be effective November 7, 2022.

An Ordinance amending certain Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$283,165 to provide funds for Council Capital Projects in the Divisions of Streets and Roads, Fire and Emergency Services, Traffic Engineering, and Parks and Recreation, and appropriating and re-appropriating funds, Schedule No. 4.

An Ordinance redistricting the districts of the Fiscal Court Commissioners, Justices of the Peace (Magistrates), and Constables.

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The following resolutions received second reading. Upon motion by Ms. Elliott Baxter, and seconded by Ms. Lynch, the resolutions were approved by the following vote:

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

Nay: -----0

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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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 received first reading.

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

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

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

Nay: -----0

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Consultant Services Agreement with Johnson Early Architects, for Professional Design Services of the Valley Park Building Renovation & Expansion Project, increasing the Contract price by \$148,500 and raising the total Contract price to \$217,500 received first reading.

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

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

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

Nay: -----0

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A Resolution authorizing the Dept. of Law to institute condemnation proceedings in Fayette Circuit Court to obtain permanent and temporary easements upon portions of the property located at 287 Lafayette Parkway for the Wolf Run Main Trunk F Project, a Remedial Measures Project required by the Consent Decree received first reading.

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

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

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

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 13, 2023:

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.

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

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.

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.

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.

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.

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.

A Resolution authorizing and directing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute an Agreement with the Lexington-Fayette Urban County Human Rights Commission (HRC) to support the operating costs of the HRC for Fiscal Year 2024, at a cost not to exceed \$429,870.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Subrecipient Agreement (RFP No. 24-2023) with the Hope Center, Inc., in order to allocate \$300,000 of Federal Grant funds awarded pursuant to the American Rescue Plan Act of 2021 (ARPA) for Progressive Street Outreach Services, and authorizing the Mayor to execute any other necessary Agreements or Amendments with the Hope Center related to the use of these funds.

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 AVOL Ky., Inc. (\$24,700), for the Office of the Urban County Council, at a cost not to exceed the sum stated.

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 the Nest - Center for Women, Children and Families (\$3,114), for the Office of the Urban County Council, at a cost not to exceed the sum stated.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Purchase of Service Agreements (awarded pursuant to RFP 26-2022) with Commerce Lexington, Inc. (\$300,000) and Urban League of Lexington-Fayette County, Inc. (\$150,000), to provide economic development services to the community, at a total cost not to exceed \$450,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Immediate Response Spill Technologies, for Hazardous Materials Cost Recovery and Supply Program.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with the Hope Center, Inc., for the Detention Center Recovery Program for a term of one (1) year beginning July 1, 2023, at a cost not to exceed \$228,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Second Amendment to American Rescue Plan Act of 2021 Subrecipient Agreement with Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas Counties, Inc., for the operation of Expanded Intensive Street Outreach Services, to extend the performance period through September 30, 2023, at no additional cost.

A Resolution authorizing and directing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to accept a Grant from the Commission on Fire Protection, Personnel, Standards, and Education, which Grant funds are in the amount of \$3,843,133 in Commonwealth of Ky. funds, for Fire Training Incentives for Firefighters for FY 2024, 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 accept a Grant from the Ky. Justice and Public Safety Cabinet under the Ky. Law Enforcement Foundation Program Fund, which Grant funds are in the amount of \$3,948,170 in Commonwealth of Ky. Funds for Police Training Incentives for FY 2024, 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 Lexington-Fayette Urban County Government, to execute an Agreement with the Bluegrass Area Development District, Inc., for the acceptance of Federal and State Grant funds in the amount of \$175,160, for the operation of the Lexington Senior Center for FY 2024, the acceptance of which obligates the Urban County Government for the expenditure of \$225,985 as a local match, 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 a Fiber Lease Agreement with the University of Ky. to lease the use of twenty-four strands of fiber to the University of Ky., resulting in revenue in an amount not to exceed \$83,588 and a cost not to exceed \$15,000 payable to the Commonwealth of Ky. or its designee for construction of an access point as required under the Fiber Lease Agreement, contingent upon passage of a simultaneous Resolution authorizing the Mayor to execute the indefeasible right of use with the Commonwealth of Ky.

A Resolution authorizing and directing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute an Agreement with the Ky. Transportation Cabinet for the acceptance of Federal funds, which Grant funds are in the amount of \$480,000 for the Intelligent Transportation System/Congestion Management System (ITS/CMS) Traffic Improvements Project for FY 2024, the acceptance of which obligates the Urban County Government to the expenditure of \$120,000 as a local match, 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 a twenty-eight year Indefeasible Right of Use Agreement with the Commonwealth of Ky. for approximately twenty-seven miles of a one hundred forty-four count bundle of fiber within the Urban County, at a one-time cost not to exceed \$63,588 and an annual cost not to exceed an additional \$20,000 in maintenance costs; and authorizing the Chief Information Officer to execute future Change Orders pursuant to Section 4.3 of the Indefeasible Right of Use Agreement; all contingent upon passage

of a simultaneous Resolution authorizing and directing the Mayor to execute a Fiber Lease Agreement with the University of Ky.

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. 22-2023) with Clark Dietz, Inc., for engineering and landscape architecture services related to a proposed Shared Use Path from the University of Ky. to the Meadowthorpe Neighborhood, at a cost not to exceed \$149,000.

A Resolution authorizing the Div. of Streets and Roads to purchase GPS monthly service from Routeware, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Routeware related to the procurement, at a cost not to exceed \$32,986.32, effective upon passage of Council.

A Resolution authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute an Engineering Services Agreement (awarded pursuant to RFP No. 4-2023) with Banks Engineering, Inc., for design engineering services for the Armstrong Mill Shared Use Path Project, for the Div. of Engineering, at a cost not to exceed \$199,325, to be paid with funds awarded by the Ky. Transportation Cabinet, under the Coronavirus Response And Relief Supplemental Appropriations Act of 2021 (CRRSSA) Grant, and authorizing the Mayor to execute any other necessary Agreements or amendments with Banks Engineering, Inc., related to the use of these funds.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Five (5) to the Agreement with Pace Contracting for the Splash! at Charles Young Park Construction Project, increasing the Contract price by \$45,188.76 and raising the total Contract price to \$1,553,534.66, and extending the completion deadline to July 24, 2023.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Three (3) to the Contract with L-M Asphalt Partners, Ltd., d/b/a ATS Construction, for the Clays Mill Rd. Section 1 Project, increasing the contract price by the sum of \$641,855.91 from \$11,415,070.06 to \$12,056,925.97.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the first renewal Agreement with Mackey Group, LLC., d/b/a

Wiser Strategies, for continued services related to mass marketing and advertisement placement services, for the Dept. of Environmental Quality and Public Works, at a cost not to exceed \$360,000 in Fiscal Year 2024, for the period beginning July 1, 2023 through June 30, 2024.

A Resolution authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute Contract Modification No. 4 with Strand Associates, Inc., increasing the Contract price by \$53,800 for additional design services for Town Branch Trail Phase 6, raising the total Contract price from \$1,140,374 to \$1,194,174.

A Resolution authorizing and directing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute and submit a Grant Application to the Ky. Transportation Cabinet-Office of Local Programs, seeking up to \$1,248,000 in Federal funds from the Transportation Alternatives Program (TAP), for the Armstrong Mill Rd. Shared Use Path and Harrodsburg Rd. Shared Use Path.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Agreement with Haire Construction, LLC, for the Gainesway Park Drainage Improvements Project, increasing the Contract price by \$20,200 and raising the total Contract price to \$68,700.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the first renewal of the Agreement with Bluegrass Greensource (awarded pursuant to RFP No. 21-2022), to manage the Green Check Business Sustainability Certification Program, for the Div. of Environmental Services, at a cost not to exceed \$65,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the first renewal of the Agreement with Mackey Group LLC d/b/a Wiser Strategies (awarded pursuant to RFP No. 28-2022), for creative design services for public outreach and media campaigns related to water quality and leaf collection, for the Div. of Environmental Services, 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 five year Support Maintenance Agreement with Systems & software, Inc., for support and maintenance of the enQuesta Software necessary for utility

billing, for the Div. of Revenue, and authorizing the Director of the Div. of Revenue to execute any related documents, at a cost not to exceed \$410,564.17 in FY 2024.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Second Amendment to the Lease Agreement with Creech Services, Inc., for use of the Haley Pike Landfill, to allow for an additional five successive five year extensions, through January 2056; to change how the amount the Urban County Government is required to pay upon termination of the lease for convenience is calculated; to allow for the composting of brewer's mash; to allow for the public to access the leased premises for educational purposes; to allow for larger amounts of compost material upon provision of a Fire control plan, unless the increased material creates a risk to public safety; and to provide for a wind-down period after termination for certain causes, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a multi-year platform Agreement, the final form of which is subject to the approval of the Dept. of Law and the Div. of Revenue, with Cayan LLC, for merchant processing services at the City Employee Pharmacy, the cost of which depends upon the volume of credit card transactions.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement related to Neighborhood Development Funds with Pinnacle Homeowners Association, Inc. (\$500); Friends of the Parks in Fayette County, Inc. (\$750); Firebrook Estates Homeowners Association, Inc. (\$1,000); the Plantation Neighborhood Association, Inc. (\$500); Stonewall Equestrian Estates Association, Inc. (\$500); Community Ventures Corporation (\$400); Georgetown Street Area Neighborhood Association, Inc. (\$200); and Share-Ky., Inc. (\$500), for the Office of the Urban County Council, at a cost not to exceed the sum stated.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with Lexington Children's Museum, Inc., for management of the Explorium of Lexington, at a cost not to exceed \$225,000.

A Resolution authorizing and directing the Mayor on behalf of the Urban County Government to execute a multi-year Master Subscription Agreement and related order

form with Granicus, LLC, for Engagement HQ and Support, for the Office of the Council Clerk, at a cost not to exceed \$56,500 for FY 2024, with annual increases not to exceed 10% in future fiscal years.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Vendor Agreement, and any other necessary related documents, with Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas counties, Inc., to allow LexServ to receive assistance payments from the Low Income Home Water Assistance Program, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement related to Council Capital Project Expenditure funds with Lyric Theatre and Cultural Arts Center Corporation (\$23,000), for the Office of the Urban County Council, at a cost not to exceed the sum stated.

A Resolution authorizing and directing the Mayor, or her designee, on behalf of the Urban County Government, to execute a Letter of Intent with Lexington Equine Medical Group, PLLC, for the purchase of 5.92 acres of the Coldstream Research Campus, for the amount of \$1,213,600, and authorizing the Mayor to execute a Purchase and Sale Agreement that materially complies with the Letter of Intent, as well as all other necessary and related documents, and authorizing other necessary actions related to the transfer of property.

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Upon motion by Ms. Gray, and seconded by Ms. Plomin, the Communications from the Mayor (Appointments) were approved by unanimous vote and were as follows: (1) Recommending the reappointment of Jessica Johnston and Shelby Lee, and the appointment of Renee Shaw, to the CASA of Lexington Board of Directors, all with terms expiring July 1, 2027.

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Upon motion by Ms. Plomin, and seconded by Ms. LeGris, 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 Fleet Services - Synthetic Transmission Fluid Rebid- 68-2023 - Apollo Oil LLC, Clarke Power Services Inc, Key Oil Company and Riley Oil Company.

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

(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 of 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.

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Mr. J. Brown commended the Divs. of Parks and Recreation, Waste Management and Police, all of which helped produce a successful Fourth of July celebration. He also noted a recent recognition awarded to the Dept. of Finance, which received the 31st Certificate of Achievement for the annual comprehensive financial audit. He praised Dept. of Finance Comm. Erin Hensley for her work in this endeavor.

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Vice Mayor Wu made a brief announcement detailing the schedule of meetings for Thursday, July 13, 2023.

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Amy Clarke, Dist. 3, implored the Council to reconsider their approval of the ordinances pertaining to short term rentals. She spoke in opposition to the proliferation of short term rentals throughout the city.

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Hearing no objection, Vice Mayor Wu declared the meeting adjourned at 5:48 p.m.

Clerk of the Urban County Council