

Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507



Minutes

Tuesday, July 2, 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 Elliott Baxter, seconded by Council Member Monarrez, that the be Approved The motion PASSED by unanimous vote.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with LexArts, Inc., for various services relating to providing support to the arts community and community at-large, at a cost not to exceed \$325,000. [Council Office, Hall]

A motion was made by Council Member Kathy Plomin, seconded by Council Member Denise Gray, that this Resolution be Approved and Referred to Docket.and sent to the Urban County Council to return on 7/2/2024.The motion PASSED by unanimous vote.

III. Approval of Summary

Table of Motions: Council Work Session, June 25, 2024

A motion was made by Council Member Tayna Fogle, 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 provide funds for purchase orders and pre-paid expenses rolling from FY 2024 into FY 2025, and appropriating and re-appropriating funds, Schedule No 2. [Div. of Budgeting, Lueker]

A motion was made by Council Member Kathy Plomin, 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 7/2/2024.The motion PASSED by unanimous vote.

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. 3. [Div. of Budgeting, Lueker]

A motion was made by Council Member Kathy Plomin, 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 7/2/2024.The motion PASSED by unanimous vote.

V. Budget Adjustments - For Information Only

VI. New Business

VII. Communications From the Mayor - Appointments

VIII. Communications From the Mayor - Donations

IX. Communications From the Mayor - Procurements

X. Continuing Business/ Presentations

A Resolution authorizing and approving the transfer of Council Capital Projects funds to the Div. of Parks and Recreation in the amount of \$12,000 for the "Sense of Place" Hamlet Initiative Project and \$80,000 for improvements at Brucetown Park. [Council Office, Hall]

A motion was made by Council Member Hannah LeGris, seconded by Council Member Liz Sheehan, that this Resolution be Approved and Referred to Docket.and sent to the Urban County Council to return on 7/2/2024.The motion PASSED by unanimous vote.

An Ordinance creating Section 21-37.4 of the Code of Ordinances of the Lexington-Fayette Urban County Government to authorize up to fifty-six (56) hours of paid leave and up to two hundred and forty (240) hours of unpaid leave per calendar year for Classified Civil Service employees who are victims of domestic violence or a crime, for needs related to or resulting from domestic violence or the crime, effective upon passage of Council. [Council Office, Hall]

A motion was made by Council Member Jennifer Reynolds, seconded by Council Member Denise Gray, that this Ordinance be Approved and Referred to Docket.and sent to the Urban County Council to return on 7/2/2024.The motion PASSED by unanimous vote.

An Ordinance amending and restating Ordinance No. 141-2022, relating to the Public Infrastructure Program, in its entirety, and providing for its purpose, Program fund protections, priorities, limitations, criteria, an application process, administration by the Mayor's Chief Development Officer with oversight by the Economic

Development Investment Board, and a Program fund and the adoption of new Program policies and guidelines; all effective upon date of passage. [Council Office, Hall]

A motion was made by Council Member Shayla Lynch, seconded by Council Member Whitney Elliott Baxter, that this Agenda Item be Amended. The motion PASSED by unanimous vote.

A motion was made by Council Member James Brown, seconded by Council Member Dan Wu, that this Agenda Item be Approved and Referred to Docket and sent to the Urban County Council to return on 7/2/2024. 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

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

A motion was made by Council Member Denise Gray, seconded by Council Member Brenda Monarrez, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 7/2/2024.The motion PASSED by unanimous vote.

b

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a multi-year Agreement to procure software and related services under the same terms and conditions as MA-758-180000017, a Contract between SHI, Inc. and the Commonwealth of Ky., including proposal #24914828, at a cost not to exceed \$1,306,579.09 in FY 2025, with future renewals subject to the appropriation of sufficient funds; and authorizing the Chief Information Officer, or her designee, on behalf of the Urban County Government, to execute any necessary documents related to the procurement. [Div. of Enterprise Solutions, Stewart]

A motion was made by Council Member Denise Gray, seconded by Council Member Brenda Monarrez, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 7/2/2024.The motion PASSED by unanimous vote.

c

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Amendment to an Agreement with New Life Day Center, Inc., extending the period of performance through September 30, 2024, at no additional cost to the Urban County Government. [Office of Homelessness Prevention and Intervention, Herron]

A motion was made by Council Member Denise Gray, seconded by Council Member Brenda Monarrez, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 7/2/2024.The motion PASSED by unanimous vote.

d

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 2025 County Road Aid Projects in the Rural Service Area. [Div. of Engineering, Burton]

A motion was made by Council Member Denise Gray, seconded by Council Member Brenda Monarrez, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 7/2/2024.The motion PASSED by unanimous vote.

e A Resolution authorizing the Mayor, on behalf of the Urban County Government, for the Div. of Police, to execute a Master Services Agreement and Forensics DNA Contract with DNA Labs International (DLI), a sole source provider, for the use of secure services that will directly support investigations specific to unsolved homicide and violent crime investigations, at a cost not to exceed \$150,000 in FY 2024. [Div. of Police, Weathers]

A motion was made by Council Member Denise Gray, seconded by Council Member Brenda Monarrez, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 7/2/2024.The motion PASSED by unanimous vote.

f A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Forgivable Loan Agreement and related documents with Red Draw Liberty LLC, pursuant to the Public Infrastructure Program, for sanitary sewer infrastructure improvements as well as the creation of jobs, at a cost not to exceed \$489,613. [Mayor's Office, Bencz]

A motion was made by Council Member Denise Gray, seconded by Council Member Brenda Monarrez, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 7/2/2024.The motion PASSED by unanimous vote.

g An Ordinance amending the authorized strength by creating one (1) classified position of Program Manager, Sr., Grade 525E, in the Dept. of Planning and Preservation; creating four (4) classified positions of Safety Officer, Grade 515N, in the Div. of Police; and creating one (1) classified position of Grants Administrative Aide, Grade 518N, in the Div. of Grants and Special Programs, effective July 1, 2024. [Div. of Human Resources, George]

A motion was made by Council Member Denise Gray, seconded by Council Member Brenda Monarrez, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 7/2/2024.The motion PASSED by unanimous vote.

h A Resolution authorizing and directing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute Contract Modification No. 3 with EA Partners, in order to increase the Contract price by \$22,762.50 for design services related to the Town Branch Trail Crossing, raising the total Contract price from \$130,895.00 to \$153,657.50. [Div. of Engineering, Burton]

A motion was made by Council Member Denise Gray, seconded by Council Member Brenda Monarrez, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 7/2/2024.The motion PASSED by unanimous vote.

- i A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, and as a result of the prior authorization of acceptance of Federal funds from the Surface Transportation Block Grant in Resolution 124-2024, to execute an Agreement with the Ky. Transportation Cabinet ("Cabinet") to update the Lexington Area Travel Demand Forecasting Model (TDFM), and further stipulating the role, responsibility, and cost share between the Government and the Cabinet, as part of the Lexington Area Metropolitan Planning Organization's (MPO) FY 2025 Unified Planning Work Program, at a cost not to exceed \$10,000. [Div. of Planning, Duncan]

A motion was made by Council Member Denise Gray, seconded by Council Member Brenda Monarrez, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 7/2/2024.The motion PASSED by unanimous vote.

- j An Ordinance pursuant to Section 6.12 of the Charter of the Lexington-Fayette Urban County Government to reorganize the Div. of Water Quality, at the request of the Dept. of Environmental Quality and Public Works, as follows: amending the Classified Civil Service authorized strength by abolishing one (1) position of Public Service Worker Senior, Grade 510N, and creating one (1) position of Sewer Line Maintenance Field Technician Senior, Grade 516N, reclassifying the incumbent, abolishing four (4) positions of Public Service Worker Senior, Grade 510N, and creating four (4) positions of Sewer Line Maintenance Field Technician, Grade 515N, reclassifying the incumbents, abolishing four (4) positions of Equipment Operator, Grade 512N, and creating four (4) positions of Sewer Line Maintenance Field Technician, Grade 515N, reclassifying the incumbents, abolishing seven (7) positions of Equipment Operator Senior, Grade 515N, and creating seven (7) positions of Sewer Line Maintenance Field Technician, Grade 515N, reclassifying the incumbents, abolishing two (2) positions of Equipment Operator Senior, Grade 515N, and creating two (2) positions of Sewer Line Maintenance Field Technician Senior, Grade 516N, reclassifying the incumbents, abolishing three (3) positions of Heavy Equipment Operator, Grade 516N, and creating three (3) positions of Sewer Line Maintenance Field Technician Senior, Grade 516N, reclassifying the incumbents, abolishing six (6) positions of Public Service Supervisor, Grade 517N, and creating six (6) positions of Sewer Line Maintenance Supervisor, Grade 518N, reclassifying the incumbents, abolishing three (3) positions of Public Service Supervisor Senior, Grade 518N, and creating three (3) positions of Sewer Line Maintenance Supervisor Senior, Grade 519N, reclassifying the incumbents, reallocating one (1)

position of Sewer Line Maintenance Superintendent and the incumbent in that position from Grade 522E to Grade 524E, and reallocating one (1) position of CMOM Program Manager and the incumbent in that position from Grade 523E to Grade 525E; and amending the Unclassified Civil Service authorized strength as follows: abolishing two (2) Unclassified Civil Service Positions of Public Service Apprentice, Grade 504N, and creating two (2) Unclassified Civil Service Positions of Sewer Line Maintenance Technician Apprentice, Grade 509N, all in the Div. of Water Quality, with all changes effective retroactive to July 1, 2024. [Div. of Human Resources, George]

A motion was made by Council Member Denise Gray, seconded by Council Member Brenda Monarrez, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 7/2/2024.The motion PASSED by unanimous vote.

k

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept an award of \$19,077.50 in Federal funds awarded by the Ky. Div. of Emergency Management, under the Federal Emergency Management Performance Grant EMA 2022 Additional Funding Award, in order to purchase and install one outdoor warning siren system, the acceptance of which obligates the Urban County Government to the expenditure of \$19,077.50 as a local match, authorizing the Mayor to execute any necessary Agreements related to these Federal funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget. [Div. of Emergency Management, Larkin]

A motion was made by Council Member Denise Gray, seconded by Council Member Brenda Monarrez, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 7/2/2024.The motion PASSED by unanimous vote.

l

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Lease Agreements for Residential Park Caretaker properties with the following individuals for the listed properties in consideration of the sums stated in monthly rent: Samuel Garcia for 3990 Raven Run Way, \$590; Fred Williamson for 4051 Richmond Rd., \$185; Teresa Jill Farmer for 3401 Shamrock Lane, \$700; and Brian Huddle for 3561 Shamrock Lane, \$550. [Div. of Parks and Recreation, Conrad]

A motion was made by Council Member Denise Gray, seconded by Council Member Brenda Monarrez, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 7/2/2024.The motion PASSED by unanimous vote.

m

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application seeking \$153,227 in Federal funds from the U.S. Dept. of Justice, under the Edward Byrne Memorial Justice Assistance Grant (JAG)

Program in Fiscal Year 2025, for equipment for the Lexington Police Dept., and to provide any additional information requested in connection with this Grant Application. [Div. of Police, Weathers]

A motion was made by Council Member Denise Gray, seconded by Council Member Brenda Monarrez, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 7/2/2024.The motion PASSED by unanimous vote.

- n 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 2025, at a cost not to exceed \$412,990. [Div. of Grants and Special Programs, Reynolds]

A motion was made by Council Member Denise Gray, seconded by Council Member Brenda Monarrez, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 7/2/2024.The motion PASSED by unanimous vote.

- o An Ordinance granting a waiver to the Ky. Transportation Cabinet of certain requirements of Ordinance No. 85-2008, otherwise known as the Newtown Pike Landscape Ordinance, as recommended by the Corridors Commission pursuant to Section 2-472 of the Code of Ordinances, on properties located at 1445, 1433, 1425 and 1419 Newtown Center Way and 789 Newtown Springs Dr., as follows: granting an exemption from the twenty foot buffer area; allowing walkway/bike path connections to the Legacy Trail; allowing the maintenance of existing three plank fence on developed properties and construction and maintenance of three plank fence on undeveloped properties; and allowing replacement of trees and other plantings currently located in the seventy-five-foot landscaping buffer with an in-kind replacement on the properties. [Div. of Environmental Services, Carey]

A motion was made by Council Member Denise Gray, seconded by Council Member Brenda Monarrez, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 7/2/2024.The motion PASSED by unanimous vote.

- p Adoption of a Resolution of the Urban County Government, authorizing the filing of FY 2025 Physical Security, Help America Vote Act (HAVA) application with the Ky. State Board of Elections (SBE) for up to \$8,300; authorizing and directing the Mayor to execute any documents which are deemed necessary by SBE to carry out this project; and authorizing the Mayor to act as the authorized correspondent of this project. [Div. of Grants and Special Programs, Reynolds]

A motion was made by Council Member Denise Gray, seconded by Council Member Brenda Monarrez, that this Agenda Item be Approved and Referred to Docket.and sent to the Urban County Council to return on 7/2/2024.The motion

PASSED by unanimous vote.