

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Docket

Thursday, June 18, 2020

6:00 PM

Virtual Meeting

Urban County Council

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

1. **0568-20** 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, Schedule No. 52. [Div. of Budgeting, Lueker]

2. **0569-20** An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$200 to provide funds for Council Projects in the Div. of Streets and Roads to assist with the purchase and installation of a new gate at Brighton Trail and appropriating and re-appropriating funds, Schedule No. 53. [Council Office, Maynard]

IV. Ordinances – First Reading

3. **0609-20** 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 2021 Schedule No. 1. [Div. of Budgeting, Lueker]

4. **0615-20** An Ordinance amending and restating Ordinance No. 42-2020, which pertains to the suspension of certain Ordinances to allow for expanded restaurant and retail business uses, to extend the deadline through September 8, 2020; to include bars; and to include additional definitions and clarifications; effective upon passage of Council. [Council Office, Maynard]

V. Resolutions – Second Reading

1. **0547-20** A Resolution accepting the bid of Applegate Inspection Service, establishing a price contract for Asbestos Project Monitoring, for the Div. of Facilities and Fleet Management. (4 Bids, Low) [Baradaran]

2. **0566-20** A Resolution ratifying the Permanent Civil Service Appointments of: Benjamin Cotton, Laboratory Technician, Grade 513N, \$17.717 hourly in the Div. of Water Quality, effective May 11, 2020 and

- Michael Vaught, Fleet Operations Manager, Grade 521E, \$2,515.39 biweekly in the Div. of Facilities and Fleet Management, effective May 25, 2020; and ratifying the Classified Civil Service Council leave of: Kevin Binder, Staff Assistant, Grade 508N, \$18.160 hourly in the Div. of Family Services, effective June 17, 2020 through September 14, 2020. [Div. of Human Resources, Maxwell]
3. **0439-20** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Dell Financial Services for replacement of current firewalls and software licensing, at a cost not to exceed \$81,249.84 annually. [Div. of Computer Services, Nugent]
4. **0490-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit the 2020 Consolidated Plan/Grant Application to the United States Dept. of Housing and Urban Development (HUD), to provide any additional information requested in connection with this Grant Application, and to accept the Grant if the application is approved, which Grant funds are in the amount of \$4,781,537 in Federal funds, and are for the FY 2021 Community Development Block Grant (CDBG) Program (\$2,427,420), Home Program (\$1,316,746), and Emergency Solutions Grant (ESG) Program (\$206,186), the acceptance of which obligates the Urban County Government for the expenditure of \$363,065 from various funding sources as a local cash match and \$143,121 as an in-kind match; and authorizing the Mayor to execute Agreements for the approved plan; and authorizing the Mayor to transfer unencumbered funds within the Grant Budget. [Div. of Grants and Special Programs, Lanter]
5. **0498-20** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Site Specific Agreement with the Jessamine South Elkhorn Water District and RBC, LLC, to provide sanitary sewer conveyance and treatment capacity to the reserve at Tates Creek Unit 2 Development in Jessamine County. [Div. of Water Quality, Martin]
6. **0499-20** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2 to the Agreement with Judy Construction Co., for the West Hickman Waste Water Treatment Plant Final Clarifiers No. 7 and No. 8 Improvements Project, increasing the contract price by the sum of \$22,405.00, from \$1,698,735.75 to \$1,721,140.75. [Div. of Water Quality, Martin]

7. **0519-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Amendment No. 3B to the Grant Agreement with the Bluegrass Area Development District, Inc., to incorporate a \$92,682.59 increase in federal funding from the CARES Act for the operation of the Senior Citizens Center in FY 2020. [Div. of Grants and Special Programs, Lanter]
8. **0549-20** A Resolution authorizing and directing the Dept. of Finance to allocate an amount equal to the initial \$6,400,000 of reimbursement funds received from the Department for Local Government under the Coronavirus Aid, Relief, and Economic Security Act to the Urban County Government's Contingency Designation Fund (Ordinance No. 50-2016) upon receipt of said funds and the taking of any necessary additional Budgetary actions, with any subsequent withdrawal and use requiring further action; and authorizing and directing the allocation of an amount equal to any additional funds received into the General Fund (Budget Stabilization Reserve), with the Council to discuss potential uses of these reserve funds on at least a quarterly basis. [Council Office, Maynard]
9. **0517-20** A Resolution authorizing and directing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute Purchase of Service Agreements with the Building Institute of Central Ky. (\$50,000); the Community Action Council of Fayette, Bourbon, Harrison, and Nicholas Counties, Inc. (\$50,000); Jubilee Jobs of Lexington, Inc. (\$40,000); Lexington Rescue Mission, Inc. (\$30,000); and Ky. Refugee Ministries, Inc. (\$30,000), to support workforce development, at a cost not to exceed \$200,000 for FY 2021, with renewal subject to each organization's performance and the budgeting of sufficient funds in future fiscal years. [Mayor's Office, Atkins]
10. **0518-20** A Resolution authorizing the Mayor, or her designee, on behalf of the Urban County Government, to execute Change Orders under specific conditions with Structural Systems Repair Group, LLC for construction services for the Government Center Envelope Improvements in order to prevent costly time delays for conditions requiring immediate attention. [Div. of Facilities and Fleet Management, Baradaran]
11. **0526-20** A Resolution establishing and authorizing a price contract for FY 2021 and FY 2022 with Harp Enterprises, Inc., as a sole source provider of voting machines and any related maintenance, equipment, supplies and services for the Fayette County Clerk's

Office, and authorizing the Mayor or her designee, on behalf of the Urban County Government, to execute any necessary price contract(s) with Harp Enterprises, Inc., related to the procurement of these goods and services with payment up to \$92,500 in FY 2021 contingent upon approval of the Budget. [Fayette County Clerk, Blevins]

- 12. 0527-20** A Resolution approving the Granting of an inducement to Summit Biosciences, Inc., or its successor or affiliate, pursuant to the Ky. Business Investment Act (KRS Subchapter 154.32), whereby the Lexington-Fayette Urban County Government agrees to rebate annually one percent (1%) of the Company's Occupational License Fees for a term of no longer than ten (10) years from the activation date, subject to the limitations contained in the Act and any Agreement with the Ky. Economic Development Finance Authority or the Urban County Government related to the project, and taking other related action. [Mayor's Office, Atkins]
- 13. 0529-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the University of Ky., designating LFUCG as a preferred internship site with Therapeutic Recreation Programs for Music Therapy students. [Div. of Parks and Recreation, Conrad]
- 14. 0530-20** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to Lakeshore Village, Inc., for Stormwater Quality Projects, at a cost not to exceed \$75,000. [Div. of Water Quality, Martin]
- 15. 0536-20** 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 annual rent: Hollis Harvill for 705 Caden Lane, \$5,100; Everett Hampton for 2075 Parkers Mill Rd., \$3,120; Edmon Chaney for 3401 Shamrock Lane, \$6,300; Anna Wiker-Peacynski for 3990 Raven Run Way, \$4,680; and Fred Williamson for 4051 Richmond Rd., \$3,360. [Div. of Parks and Recreation, Conrad]
- 16. 0540-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept \$301,050 in Federal funds under the CARES Act for the support of child care expenses in the Extended School Program of the Div. of Parks and Recreation, the acceptance of which does not obligate the Urban County Government for the expenditure of funds. [Div. of Parks and Recreation, Conrad]

- 17. 0541-20** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept the proposals for FY 2021 for Excess Liability Insurance from, and to execute any necessary Contracts and documents on behalf of the Urban County Government with, the following insurance companies and/or their respective broker Marsh & McLennan Agency: Aviation from Westchester Fire Insurance Co. at a cost not to exceed \$23,655.26; General, Auto, Public Officials, Law Enforcement, Professional, and Excess Liability from Safety National Casualty Corporation at a cost not to exceed \$478,193.17; Property from Affiliated Factory Mutual (FM) at a cost not to exceed \$479,502.00; Cyber from Ace American Insurance Co. at a cost not to exceed \$23,461.93; Pollution from Illinois Union Insurance Co. at a cost not to exceed \$19,614.67; Workers' Compensation from Safety National Casualty Corporation at a cost not to exceed \$380,437.00; the Workers' Compensation Payroll Audit from Safety National Casualty Corporation at a cost not to exceed \$5,000.00; and Parks and Recreation Student Insurance from Marsh & McLennan at a cost not to exceed \$4,590.00, all subject to sufficient funds being appropriated. [Div. of Risk Management, Skidmore]
- 18. 0543-20** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Fourth Amendment to Lease Agreement with Denham-Blythe Co., Inc., extending for one (1) year, the term of the lease for office space at 100 Trade Center St., which is used for the Lexington-Fayette Urban County Government Wellness Center, at a cost not to exceed \$115,523.08. [Div. of Facilities and Fleet Management, Baradaran]
- 19. 0544-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Mutual Aid Agreement with Baptist Health-Lexington, for EMS Services. [Div. of Fire and Emergency Services, Chilton]
- 20. 0545-20** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Global Music Rights, LLC for the non-exclusive right to perform publicly, or cause to be performed publicly, compositions licensed by GMR at events wholly or primarily sponsored, promoted or conducted by or under the auspices of LFUCG, at a cost not to exceed \$3,500 per year. [Div. of Parks and Recreation, Conrad]
- 21. 0586-20** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Thomson Reuters for

Westlaw on-line legal research and publications and Westlaw CLEAR Information Search Services, for the Dept. of Law, at a cost not to exceed \$36,912.01 in FY 2021. [Council Office, Maynard]

- 22. 0601-20** A Resolution condemning racism and injustice; committing to make Lexington-Fayette County an inclusive environment and to address policies that do not promote equity and equality; standing steadfast with all citizens of Lexington-Fayette County in the fight for racial justice and human rights for all and welcoming input from the community on any necessary policy changes; and authorizing the Mayor and Council to consider implementation of any necessary tools to eliminate racism or ethnic discrimination within Lexington-Fayette County. [Council Office, Maynard]

VI. Resolutions – First Reading

- 23. 0584-20** A Resolution accepting the bid of Central Bridge Co., LLC, in the amount of \$2,854,768.01, for the Brighton Rail Trail Bridge, for the Div. of Engineering, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Central Bridge Co., LLC, related to the bid (3 Bids, Low) [Burton]
- 24. 0591-20** A Resolution accepting the bids of ABR Construction, Inc.; Bri-Den Roofing (A Tecta America Co.); Pearce-Blackburn Roofing; and Tri-State Roofing & Sheet Metal Co., establishing price contracts for roofing repairs and maintenance, for the Div. of Facilities and Fleet Management (4 Bids, Low) [Baradaran]
- 25. 0592-20** A Resolution accepting the bids of Debra-Kuempel, Inc., and Disponette Service Co., Inc., establishing price contracts for plumbing services, for the Div. of Facilities and Fleet Management (2 Bids, Low) [Baradaran]
- 26. 0594-20** A Resolution accepting the bid of Dugan & Meyers, LLC, in the amount of \$9,207,641, for the Town Branch Aeration Improvements, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Dugan & Meyers, LLC, related to the bid. (4 Bids, Low) [Martin]
- 27. 0599-20** A Resolution ratifying the Permanent Classified Civil Service Appointments of: Alicia Underwood, Accountant, Grade 516N, \$20.897 hourly in the Div. of Accounting, effective March 3, 2020, James Begley, Traffic Signal Technician Sr., Grade 515N, \$18.797 hourly in the Div. of Traffic Engineering, effective June 2, 2020;

ratifying the Classified Civil Service Council leave of: Rudolph Geiger, Vehicle & Equipment Mechanic, Grade 512N, \$21.113 hourly in the Div. of Streets and Roads, effective September 14, 2020; and ratifying the Classified Civil Service Demotion of: Renu Agarwal, Administrative Specialist Sr., Grade 516N, \$22.380 hourly in the Div. of Revenue, effective July 6, 2020. [Div. of Human Resources, Maxwell]

- 28. 0542-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Just Fund Education Project, Inc., which Grant funds are in the amount of \$5,000, for the purpose of milling and resurfacing the intersection of Limestone and Short Sts. and adding a rainbow design, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget. [Div. of Streets and Roads, Allen]
- 29. 0558-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Letter of Agreement for Participating Agency with God's Pantry Food Bank, for the Fayette County Pantry Referral Program, at no cost to the Urban County Government. [Dept. of Social Services, Ford]
- 30. 0562-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 4 with the Ky. Transportation Cabinet, for the acceptance of additional Federal funds in the amount of \$913,000 for the construction phase of the Brighton Trail Pedestrian Bridge Project, the acceptance of which obligates the Urban County Government for the expenditure of \$182,600 as a local match to be provided by the Ky. Transportation Cabinet through toll credits. [Div. of Engineering, Burton]
- 31. 0563-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet for the 2018 Project Safe Neighborhood Grant, to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$167,394.60 in Federal funds, and are for the purpose of paying overtime and purchasing equipment for targeted enforcement and surveillance in prioritized areas in Fiscal Year 2021, the acceptance of which does not obligate the Urban County Government for the expenditure of

- funds, and to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet for the 2019 Project Safe Neighborhood Grant, to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$102,849.30 in Federal funds, and are for the purpose of paying overtime and purchasing equipment for targeted enforcement and surveillance in prioritized areas in fiscal year 2021, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget for these Grants. [Div. of Police, Weathers]
- 32. 0564-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Amendment #2 to the TIGER Agreement with the U.S. Dept. of Transportation to modify the statement of work, schedule and budget for the Town Branch Commons Project. [Mayor's Office, Peacher]
- 33. 0571-20** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to the Unitarian Universalist Church of Lexington, Inc., for Stormwater Quality Projects, at a cost not to exceed \$29,236. [Div. of Water Quality, Martin]
- 34. 0573-20** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to Churchill McGee, LLC, for Stormwater Quality Projects, at a cost not to exceed \$99,860.38 [Div. of Water Quality, Martin]
- 35. 0574-20** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Grant Award Agreement with Bluegrass Greensource, Inc., for a Stormwater Quality Project, decreasing the Grant Award by the sum of \$19,021.66, from \$27,135.23 to \$8,113.57. [Div. of Water Quality, Martin]
- 36. 0575-20** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Grant Award Agreement with the University of Ky. Research Foundation (UKRF), for a stormwater quality project, decreasing the Grant award by the sum of \$147.10, from \$35,000.00 to \$34,852.90. [Div. of Water Quality, Martin]
- 37. 0576-20** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Grant Award

- Agreement with Friends of Wolf Run, Inc., for a Stormwater Quality Project, decreasing the Grant award by the sum of \$1,874.73, from \$33,500.00 to \$31,625.27. [Div. of Water Quality,
38. **0577-20** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Grant Award Agreement with the University of Ky. Research Foundation (UKRF), for a stormwater quality project, decreasing the Grant award by the sum of \$92.26, from \$34,954.00 to \$34,861.74. [Div. of Water Quality, Martin]
39. **0578-20** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Release of Easement, releasing a utility easement on the property located at 307 South Broadway. [Div. Of Water Quality, Martin]
40. **0579-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Contract with Zambelli Fireworks Manufacturing Corporation, for July 4, 2020 Fireworks exhibition, at a cost not to exceed \$20,700. [Div. of Parks and Recreation, Conrad]
41. **0582-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. State Police-Vehicle Enforcement Div., to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$85,000 in Federal funds, and are for the continued operation of the Motor Carrier Safety Assistance Program (MCSAP) for FY 2021, the acceptance of which obligates the Urban County Government for the expenditure of \$15,000 as a local match, which will be provided from documentation of existing Div. of Police staff salaries, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget. [Div. of Police, Weathers]
42. **0583-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with R.J. Corman Railroad Co. for the set up and execution of Lexington's 4th of July Fireworks at Railroad's Lexington yard. [Div. of Parks and Recreation, Conrad]

VII. Communications From the Mayor (For Information Only)

- 0600-20** (1) Probationary Classified Civil Service Appointment of Sherry Bullock, Administrative Specialist Sr., Grade 516N, \$23.349 hourly in the Div. of Water Quality, effective July 6, 2020;

(2) Probationary Classified Civil Service Appointment New Hire of Erica Williams, Payroll Analyst, Grade 520N, \$24.910 hourly in the Div. of Accounting, effective July 6, 2020; and,
(3) Probationary Classified Civil Service Appointment New Hire of Michael Jamison, Technical Specialist, Grade 515N, \$20.990 hourly in the Div. of Police, effective July 20, 2020.

VIII. Fire/Police Discipline - NO

IX. Announcements

X. Public Comments

Adjournment

ZOOM CREDENTIALS
Lexington Fayette-Urban County Council Meeting
June 18, 2020
6:00 PM

You are invited to a Zoom webinar.

When: Jun 18, 2020 06:00 PM Eastern Time (US and Canada)

Topic: Formal Council Meeting June 18

Please click the link below to join the webinar (computer or smart device):

<https://zoom.us/j/91157832337?pwd=NUlOK0tVb2VEeVdUVXEvbFFiZGhSZz09>

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Information for Public Comment during the Lexington-Fayette Urban County Council's Video Teleconference Meetings

Please be advised that Due to the COVID-19 pandemic, state of emergency and Governor Beshear's Executive Orders regarding social distancing, this meeting of the Urban County Council is being held via video-teleconference pursuant to Senate Bill 150 (as signed by the Governor on March 30, 2020) and Attorney General Opinion 20-05, and in accordance with KRS 61.826, because it is not feasible to offer a primary physical location for the meeting. Therefore, the meeting will be conducted via Zoom video teleconference. You may view the meeting on LexTV Spectrum channel 185, MetroNet channel 3, Windstream channels 3 and 20, or via live stream [here](#).

If you are a member of the public and wish to address the Council during the public comment portion of the meeting, please follow the instructions below to join the virtual meeting using Zoom.

1. Please wait for public comment portion to be announced in the meeting before joining the meeting via Zoom. If you call or log in prior to public comment, you will not be allowed to enter the meeting. **The URL link and call-in information will be included with the packets/dockets when they are distributed.**
2. If entering using a non-smartphone, join the meeting by dialing any of the phone numbers provided. When prompted please enter the following:
 - Webinar I.D.
 - Enter # (pound) for the participant I.D.
 - Enter the provided meeting password

At this point you will be able to hear and see the meeting on your device.

3. If entering with a computer or smartphone, use the provided URL link.
4. You will be called on to speak during the public comment portion of the meeting. Please listen for your name (or last 4 digits of your phone number) to be called.
5. **Once you are called to speak, please state your name and address for the record. You will be given three (3) minutes to complete your comments.**
6. You will be notified when your time expires and placed back in the lobby, at which time you may choose to disconnect from the meeting.
7. You will have to access the meeting using the steps above in order to comment.
8. You can test your computer, phone or tablet's ability to use Zoom, including speaker/microphone functionality at <https://zoom.us/test>

*Please note that the procedure outlined above may be modified as circumstances change.