

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Docket

Thursday, October 22, 2020

6:00 PM

Virtual Meeting

Urban County Council

I. Roll Call**II. Invocation****III. Minutes of the Previous Meetings**

1040-20 Minutes of the October 8, 2020 Council Meeting.

IV. Ordinances – Second Reading

1. **0991-20** 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. 16. [Div. of Budgeting, Lueker]
2. **0993-20** An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$15,000 to provide funds for Council projects in the Div. of Parks and Recreation for a water fountain at Cardinal Run Park and appropriating and re-appropriating funds, Schedule No. 17. [Div. of Budgeting, Lueker]
3. **0975-20** An Ordinance repealing Article XI of Chapter 2 of the Code of Ordinances; removing the Keep Lexington Beautiful Commission from the collection of littering civil penalties; and providing for the distribution of the funds raised by Keep Lexington Beautiful Commission to the non-profit organization created by the members of the Commission. [Council Office, Maynard]

V. Ordinances – First Reading

4. **0787-20** An Ordinance changing the zone from a Two Family Residential (R-2) zone to a High Rise Apartment (R-5) zone, for 0.655 net (.717 gross) acre, for property located at 325, 329 and 333 Blackburn Ave. (Blackburn Development, LLC; Council District 2). Approval 7-3 Objectors (**Public Hearing on November 17, 2020 at 5:00 p.m.**) [Div. of Planning, Duncan]
5. **1007-20** An Ordinance amending Article 1 of the Zoning Ordinance to replace the term and definition of “Tenant Home” with the term “Dwelling Unit, Farm Employee” and definition; and to replace the term “Tenant Home” in Articles 8 and 10 of the Zoning Ordinance with the new term as defined. (Urban County Planning Commission) [Div. of Planning, Duncan]

6. **0988-20** An Ordinance amending and restating Ordinance No. 42-2020, as amended and restated by Ordinance No. 54-2020 and Ordinance No. 80-2020, which pertains to the suspension of certain Ordinances to allow for expanded restaurant, bar, and retail business uses; to extend the deadline through May 2, 2021; to temporarily suspend the Zoning Ordinance's requirement for a conditional use permit for tents or temporary structures; to include requirements for the use of heating devices within tents or temporary structures; and to include additional clarifications, effective upon passage of Council. [Mayor's Office, Scott]
7. **1039-20** 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. 18. [Div. of Budgeting, Lueker]
8. **0996-20** An Ordinance amending Article XV of Chapter 2 of the Code of Ordinances, related to the Picnic with the Pops Commission, to: remove reference to the Ky. Horse Park Amphitheater; reduce the membership of the Commission from thirteen (13) to eleven (11); provide for the Mayor to select a designee; add gender neutral language; correct punctuation; and make other corresponding changes. [Mayor's Office, Lyons]
9. **1014-20** An Ordinance amending the authorized strength by creating one (1) Unclassified position of Financial Coordinator, Grade 516N, for a term of three (3) years, in the Div. of Grants and Special Programs, effective upon passage of Council. [Div. of Human Resources, Maxwell]

VI. Resolutions – Second Reading

1. **0929-20** A Resolution accepting the bid of Worldwide Equipment, Inc., establishing a price contract for Rearloader (Rebid), for the Div. of Facilities and Fleet Management. (3 Bids, Low) [Baradaran]
2. **0937-20** A Resolution accepting the bid of S & S Tire, establishing a price contract for Tire Retreading, for the Div. of Facilities and Fleet Management. (3 Bids, Low) [Baradaran]
3. **0942-20** A Resolution accepting the bid of Key Oil Co., establishing a price contract for Hydraulic Oil, for the Div. of Facilities and Fleet Management. (4 Bids, Low) [Baradaran]

4. **0946-20** A Resolution accepting the bids of Stello Products, Inc.; Osburn Associates, Inc.; and Lightle Enterprises of Ohio, LLC, establishing price contracts for Traffic Signs, for the Div. of Traffic Engineering. (3 Bids, Low) [Neal]
5. **0947-20** A Resolution accepting the bids of 911 Fleet & Fire Equipment Holdings, LLC, and Finley Fire Equipment Co., establishing price contracts for SCBA Equipment, for the Div. of Fire and Emergency Services. (2 Bids, Low) [Chilton]
6. **0948-20** A Resolution accepting the bids of Finley Fire Equipment Co., and America's Bravest Equipment Co., establishing price contracts for Fire Helmets, for the Div. of Fire and Emergency Services. (3 Bids, Low) [Chilton]
7. **0957-20** A Resolution accepting the bids of General Parts Distribution, LLC d/b/a Advance Auto Parts; Bachman Auto Group, Inc., Fleet Pride, Inc.; Worldwide Equipment, Inc.; NAPA Auto Parts; Kentuckiana Auto & Truck Supply, LLC; and Lexington Truck Sales, Inc., establishing price contracts for Filters, for the Div. of Facilities and Fleet Management. (7 Bids, Low) [Baradaran]
8. **0958-20** A Resolution accepting the bids of Dukes A&W Enterprises, LLC; General Parts Distribution, LLC d/b/a Advance Auto Parts; Fleet Pride, Inc.; Bachman Auto Group, Inc.; Kentuckiana Auto & Truck Supply, LLC; Worldwide Equipment, Inc.; and Smyth Automotive, establishing price contracts for Light Duty Automotive Parts, for the Div. of Facilities and Fleet Management. (8 Bids, Low) [Baradaran]
9. **0966-20** A Resolution accepting the bids of Core & Main LP; Hayes Pipe Supply, Inc.; and C.I. Thornburg Co., establishing price contracts for Sanitary Sewer Repair Material, for the Div. of Water Quality. (4 Bids, Low) [Martin]
10. **0969-20** A Resolution accepting the bid of Hydro Controls, Inc., in the amount of \$36,516, for Stainless Steel Slide Gates for Town Branch WWTP, for the Div. of Water Quality. (4 Bids, Low) [Martin]
11. **0972-20** A Resolution accepting the bid of Family Guy Cleaning, LLC, establishing a price contract for Sanitary Sewer Overflow Cleanup, for the Div. of Water Quality. (1 Bid) [Martin]
12. **0978-20** A Resolution ratifying the Probationary Classified Civil Service Appointments of: Joel Ragland, Equipment Operator Sr., Grade 512N, \$23.614 hourly in the Div. of Streets and Roads, effective October 12, 2020, Brandon Compton, Treatment Plant Operator, Grade 515N, \$19.723 hourly in the Div. of Water Quality, effective

October 26, 2020, and Jaala Stone, Administrative Specialist Sr., Grade 516N, \$19.737 hourly in the Dept. of Law, effective October 26, 2020; and ratifying the Classified Civil Service Permanent Appointments of: Mary Clark, Paralegal, Grade 517N, \$23.142 hourly in the Dept. of Law, effective September 2, 2020, Jay Small, Administrative Specialist, Grade 513N, \$18.413 hourly in the Div. of Parks and Recreation, effective September 16, 2020, and Robert Clay, Public Service Worker, Grade 507N, \$12.962 hourly in the Div. of Parks and Recreation, effective September 23, 2020; and ratifying the Unclassified Civil Service Appointment of: Donald Randolph, Treatment Plant Operator Apprentice-Class I, Grade 510N, \$15.510 hourly in the Div. of Water Quality, effective September 14, 2020. [Div. of Human Resources, Maxwell]

- 13. 0750-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a renewal catering Contract with Bateman Community Living, LLC, d/b/a TRIO Community Meals, for catering services for the Family Care Center, at a cost not to exceed \$158,737.50. [Div. of Family Services, Rodes]
- 14. 0900-20** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2-Final to the Agreement with Palmer Engineering, Inc., for the Southland Drive Sidewalk Project, increasing the Contract price by the sum of \$4,300 from \$217,200 to \$221,500. [Div. of Engineering, Burton]
- 15. 0905-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with QuickSeries, for the iOS/Android BeReadyLexington mobile app, at a cost not to exceed \$4,800. [Div. of Emergency Management, Dugger]
- 16. 0907-20** A Resolution establishing Burdine Security Group as a sole source provider for installing and performing repairs on security systems for LFUCG owned buildings, for the Div. of Facilities and Fleet Management, and authorizing the Mayor or designee, on behalf of the Urban County Government, to execute any necessary Agreements with Burdine Security Group related to the procurement of these goods and services. [Div. of Facilities and Fleet Management, Baradaran]
- 17. 0908-20** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 3-Final to the Agreement with Bluegrass Contracting Corporation, for the Southland Drive Sidewalk Project, increasing the Contract price by the sum of \$36,185.68 from \$2,071,764.84 to \$2,107,950.52. [Div. of Engineering, Burton]

18. **0925-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Drug Enforcement Administration, for participation in the Tactical Diversion Squad Task Force. [Div. of Police, Weathers]
19. **0926-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Drug Enforcement Administration, for participation in the Program Funded State & Local Task Force. [Div. of Police, Weathers]
20. **0936-20** A Resolution directing and authorizing the Mayor on behalf of the Urban County Government, to execute an Agreement with Central Business Systems, Inc., on behalf of Quadient (formerly Neopost and Hasler), and Commonwealth of Ky. for False Alarms Unit Mailing Equipment, Supplies and Maintenance, and authorizing Quadient as a sole source provider at a cost not to exceed \$162.74 per month. [Div. of Police, Weathers]
21. **0940-20** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute certificates of consideration and other necessary documents, and to accept deeds for property interests needed for the Upper Cane Run Wet Weather Storage Project, a remedial measures project required by the Consent Decree, at a cost not to exceed \$10,600. [Div. of Water Quality, Martin]
22. **0941-20** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute certificates of consideration and other necessary documents, and to accept deeds for property interests needed for the Southland Area Stormwater Improvement Project, at a cost not to exceed \$5,000. [Div. of Water Quality, Martin]
23. **0951-20** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a renewal Agreement with Anthem Health Plans of Ky., Inc., for administrative services, rates and fees within the Agreement, for the period beginning January 1, 2021 through December 31, 2021. [Div. of Human Resources, Maxwell]
24. **0970-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with Stonewall Equestrian Neighborhood Assoc., (\$500), and Ky Distinguished Young Women Scholarship Program (\$500), for the Office of the Urban County Council, at a cost not to exceed the sums stated. [Council Office, Maynard]

VII. Resolutions – First Reading

- 25. 0992-20** A Resolution accepting the bid of Level 3 Communications, LLC, in accordance with the provisions of Ordinance No. 69-2016, creating and offering for sale a franchise for the operation of a non-exclusive telecommunications (or related non-cable) system in Fayette County, and authorizing the Mayor, on behalf of the Urban County Government, to execute a Franchise Agreement with Level 3 Communications, LLC, incorporating the terms and conditions of Ordinance No. 69-2016. (1 Bid) [Slatin]
- 26. 0994-20** A Resolution accepting the bids of Central Indiana Truck Equipment, Corp., and J. Edinger & Son, Inc., establishing price contracts for Refuse Body Repairs, for the Div. of Facilities and Fleet Management. (2 Bids, Low) [Div. of Facilities and Fleet Management, Baradaran]
- 27. 0995-20** A Resolution accepting the bid of Riley Oil Co., establishing a price contract for Synthetic Transmission Fluid, for the Div. of Facilities and Fleet Management. (3 Bids, Low) [Baradaran]
- 28. 1011-20** A Resolution accepting the bids of Alton Blakley Ford; Bachman Auto Group, Inc.; Bluegrass International; Lexington Truck Sales, Inc.; and Worldwide Equipment, Inc., establishing price contracts for Automotive and Truck Parts OEM, for the Div. of Facilities and Fleet Management. (5 Bids, Low) [Baradaran]
- 29. 1026-20** A Resolution accepting the bid of Employment Solutions, Inc., establishing a price contract for Temporary Labor for General Services, for the Div. of Facilities and Fleet Management. (3 Bids, Low) [Baradaran]
- 30. 1032-20** A Resolution ratifying the Probationary Classified Civil Service Appointments of: Ashley Isom, Staff Assistant Sr., Grade 510N, \$15.757 hourly in the Div. of Accounting, effective October 26, 2020, Hilori Morgan, Revenue Supervisor, Grade 520E, \$2,287.20 biweekly in the Div. of Revenue, effective October 26, 2020, Andre Ingram, Public Service Worker Sr., Grade 509N, \$15.125 hourly in the Div. of Water Quality, effective October 26, 2020, Mark Sanders, Engineering Section Manager, Grade 527E, \$3,363.44 biweekly in the Div. of Water Quality, effective November 16, 2020. and Stephon Brown, Operations Manager, Grade 520E, \$2,392.00 biweekly in the Div. of Waste Management, effective October 26, 2020; ratifying the Permanent Classified Civil Service Appointments of: Emily Epperson, Municipal Engineer Sr., Grade

525E, \$2,769.24 biweekly in the Div. of Water Quality, effective September 16, 2020, William Gahafer, Engineering Technician Sr., Grade 516N, \$22.400 hourly in the Div. of Water Quality, effective October 27, 2020, Whitney Johnson, Telecommunicator, Grade 514N, \$17.992 hourly in the Div. of Enhanced 911, effective October 13, 2020, Shawn Swanner, Skilled Trades Worker, Grade 515N, \$20.990 hourly in the Div. of Facilities and Fleet Management, effective October 20, 2020, and Sara Burd, Administrative Specialist, Grade 513N, \$18.420 hourly in the Div. of Engineering, effective September 30, 2020. [Div. of Human Resources, Maxwell]

- 31. 1034-20** A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Unclassified Civil Service Appointment: Markus Brown, Juvenile Probation Officer, Grade 515N, \$18.891 hourly in the Div. of Youth Services, effective November 9, 2020. [Div. of Human Resources, Maxwell]
- 32. 0950-20** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Assignment of Agreement, assigning the Agreement with Smith Management Group, Inc., for the audit of the Waste Water Treatment Plant Safety Program and post-audit implementation services, to ALL4, LLC, at no cost to the Urban County Government. [Div. of Water Quality, Martin]
- 33. 0952-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Untold Content, LLC, to develop, implement and manage a communications strategy for the Lexington-Fayette Urban County Government's Homelessness Prevention and Intervention Board/Continuum of Care Board and the Office of Homelessness Prevention and Intervention, at a cost not to exceed \$233,763. [Office of Homelessness Prevention and Intervention, Ruddick]
- 34. 0953-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Emergency Services with Healing Communities Study, Inc., for receipt and distribution of naloxone. [Div. of Fire and Emergency Services, Chilton]
- 35. 0954-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Contract with Blue Grass Tours, Inc., for travel to Washington D.C., at a cost not to exceed \$5,495.00. [Div. of Police, Weathers]

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- 36. 0955-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Central Baptist Hospital, for clinical paramedic training. [Div. of Fire and Emergency Services, Chilton]
- 37. 0956-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from Lexington Police Foundation of various items, for use at the Police Canine Unit, at no cost to the Urban County Government. [Div. of Police, Weathers]
- 38. 0959-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a grant from the United States Dept. of Justice (DOJ), under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program - FY 2021, which Grant funds are in the amount of \$135,250 in Federal funds, for the purchase of equipment for the Div. of Police, 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 Police, Weathers]
- 39. 0973-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the University of Ky. Research Foundation (UKRF), for the provision of evaluation services for Year 3 of the First Responders and Community Partners Overdose Prevention Project, at a cost not to exceed \$101,786. [Dept. of Social Services, Ford]
- 40. 0974-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Lexington-Fayette County Health Dept. for the First Responders and Community Partners Overdose Prevention Project, funded under the U.S. Dept. of Health and Human Services First Responders - Comprehensive Addiction and Recovery Act Grant Program, at a cost not to exceed \$261,000.00 [Dept. of Social Services, Ford]
- 41. 0976-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept additional Federal funds in the amount of \$40,000 from the Ky. Dept. of Military Affairs, Div. of Emergency Management, under the FY 2020 Chemical Stockpile Emergency Preparedness Program (CSEPP). [Div. of Emergency Management, Dugger]
- 42. 0977-20** 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 Pace Contracting, LLC, for the Fourth Street Corridor Enhancement and Legacy Trail Phase 3 Projects, increasing the Contract Price by the sum of \$12,570 from \$3,900,727 to \$3,913,297. [Div. of Engineering, Burton]

- 43. 0981-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept additional Federal funds in the amount of \$40,000 from the Ky. Dept. of Military Affairs, Div. of Emergency Management, under the FY 2019 Chemical Stockpile Emergency Preparedness Program (CSEPP), for the purchase of a Zumro tent and decon system for the support of Continued Emergency Preparedness Activities in Fayette County, the acceptance of which does not obligate the Urban County Government for the expenditure of funds. [Div. of Emergency Management, Dugger]
- 44. 0986-20** A Resolution authorizing and directing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute the First Amendment to the Memorandum of Understanding between the Lexington-Fayette Urban County Government and the Administrative Office of the Courts (AOC) for Appellate Renovations at the Fayette County Court House. The addendum will revise the construction cost cap from \$800,000 to \$396,700 per Contract #18-2020 (R-164-2020) and revise the date from June 30, 2020 to June 30, 2021 as the date in which AOC funds appropriations end. [Div. of Facilities and Fleet Management, Baradaran]
- 45. 0989-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement (awarded pursuant to RFP No. 11-2020), with Gresham Smith, for site evaluation, development of a master plan, and related services, for the 200 acre Coldstream Industrial Park Site, at a cost not to exceed \$148,500. [Mayor's Office, Atkins]
- 46. 1013-20** A Resolution amending various sections of Appendix A - Rules and Procedures of the Lexington-Fayette Urban County Council to better align with Robert's Rules of Order. [Council Office, Maynard]
- 47. 1023-20** A Resolution creating Section 4.109 within Part 1 of Chapter IV of Appendix A - Rules and Procedures of the Lexington-Fayette Urban County Council, related to Police Discipline Recommendations presented to Council. [Council Office, Maynard]
- 48. 0997-20** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. 1 to the Agreement with Konica Minolta Business Solutions U.S.A., Inc. to

- increase the number of hardcopy files to be scanned and electronically archived for the Div. of Engineering, increasing the Contract price by the sum of \$18,246, from \$55,225 to \$73,471. [Div. of Engineering, Burton]
- 49. 1009-20** A Resolution authorizing the Div. of Water Quality to purchase replacement parts and services for the rebuild of three (3) centrifuges at the Town Branch Waste Water Treatment Plant, from Flottweg Separation Technology, Inc., a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Flottweg Separation Technology, Inc., related to the procurement, at a cost estimated not to exceed \$100,000. [Div. of Water Quality, Martin]
- 50. 1015-20** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Service Site Agreement between the Lexington-Fayette Urban County Government and the Ky. Environmental Education Leadership Corp (an AmeriCorps program of the Ky. Environmental Education Council) for the placement of an AmeriCorps member for the Div. of Parks and Recreation through August 31, 2021 at a cost not to exceed \$6,000. [Div. of Parks and Recreation, Conrad]
- 51. 1016-20** A Resolution authorizing approval of a Customer Service Amendment to the Agreement with Windstream, a sole source provider for SDWAN and internet services for E911 at a cost not to exceed \$23,598.40. [Div. of Enhanced 911, Stack]
- 52. 1017-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas Counties, which Grant funds are in the amount of \$31,692 in Federal funds for the provision and support of early childhood care and education services under the Head Start Program at the Family Care Center for FY 2021, the acceptance of which obligates the Urban County Government for the expenditure of \$8,000 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget. [Div. of Family Services, Rodes]
- 53. 1028-20** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with Lexington Citizen Police Academy Alumni Association, Inc. (\$1,650) and Stonewall Community Association (\$500), for the Office of the Urban County Council, at a cost not to exceed the sums stated. [Council Office, Maynard]

- 54. 1047-20** A Resolution condemning the tree removal practices of KY Utilities; demanding reconsideration thereof; requesting KY Utilities' practices be proportionate to the actual threat posed upon the Co.'s electric service; requesting that KY Utilities enter into meaningful, collaborative, and cooperative dialogue with the Lexington-Fayette Urban County Government and other financially-invested civil organizations; and directing the Council Clerk to mail this Resolution to David Freibert, Vice President of KY Utilities; Terry Snow, Senior Transmission Line Engineer; and Kent Chandler, Executive Director of the KY Public Service Commission. [Council Office, Maynard]

VIII. Communications From the Mayor (For Information Only)

- 1035-20** (1) Classified Civil Service Temporary Appointment of Harold Byrne, Director of Community Corrections, Grade 534E, \$4,082.32 biweekly in the Div. of Community Corrections, effective October 1, 2020.

IX. Fire/Police Discipline - NO

X. Announcements

XI. Public Comments - Suspended Until Further Notice

Adjournment