

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Docket

Thursday, March 18, 2021

6:00 PM

Virtual Meeting

Urban County Council

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

- 0252-21** Minutes of the February 18, 2021 Police Disciplinary Hearing and March 11, 2021 Council Meeting.

V. Presentations

- 0268-21** Recognition of Bill Enright

VI. Ordinances – Second Reading

- 1. 0135-21** An Ordinance amending Articles 17, 8-21(o)4, 8-24(o)5, 22B-6, Appendix 24B-6(1), 28-3(h)(6), 28-4(h)(5) and 28-5(5) of the Zoning Ordinance relating to sign regulations. [Council Office, Maynard]
- 2. 0213-21** An Ordinance amending Section 2-490 of the Lexington-Fayette Urban County Government Code of Ordinances to remove the requirement that the Homelessness Prevention and Intervention Board submit annual reports and instead require that the Board review and approve reports developed by the Office of Homelessness Prevention and Intervention on the activities of the Innovative and Sustainable Solutions to Homelessness Fund prior to submission to the Mayor, the Urban County Council and the community. [Office of Homelessness Prevention and Intervention, Ruddick]
- 3. 0277-21** 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. 36. [Div. of Budgeting, Lueker]
- 4. 0241-21** An Ordinance amending and restating Ordinance No. 42-2020, as amended and restated by Ordinance No. 54-2020; Ordinance No. 80-2020; and Ordinance 103-2020, which pertains to the suspension of certain Ordinances for expanded restaurant, bar, and retail business uses, to extend the deadline through October 31, 2021; to remove temporary street closures; to provide the

procedure for requesting the use of on-street parking and adjacent parks; to require current permit-holders to reapply; and to provide certain clarifications and other corresponding changes, effective upon passage of Council. [Mayor's Office, Scott]

5. **0247-21** An Ordinance amending the authorized strength by creating one (1) unclassified position of Overdose Prevention Project Coordinator, Grade 519N, for a term of two (2) years ending September 30, 2023 and also extending the current terms of the existing unclassified Overdose Prevention Project Coordinator, Grade 519N, for a term of two (2) years ending September 30, 2023 in the Div. of Fire and Emergency Services, effective upon passage by Council. [Div. of Human Resources, Maxwell]
6. **0266-21** An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$3,000 to provide funds for Council Projects in the Div. of Environmental Services to assist with Greenspace Commission's Coldstream Park Native Area Enhancement Tree Planting project and appropriating and re-appropriating funds, Schedule No. 38. [Div. of Budgeting, Lueker]

VII. Ordinances – First Reading

7. **0312-21** An Ordinance of the Lexington-Fayette Urban County Government establishing a schedule of fees to be charged by the Lexington-Fayette Urban County Government in connection with the issuance of Revenue Bonds pursuant to KRS 103.200 to 103.285. [Council Office, Maynard]
8. **0313-21** An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$5,000 to provide funds for Council projects in the Div. of Community and Resident Services for the reading room at the Black and Williams Neighborhood Center and appropriating and re-appropriating funds, Schedule No. 40. [Div. of Budgeting, Lueker]
9. **0314-21** An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$1,373 to provide funds for Council Projects in the Dept. of Environmental Quality and Public Works for the installation of Distillery District/Manchester Street signage and appropriating and re-appropriating funds, Schedule No. 41. [Div. of Budgeting, Lueker]

10. **0315-21** An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$6,600 to provide funds for Council Projects in the Div. of Parks and Recreation for the installation of a water source in Kirklevington Park and startup of the Fairlington Community Garden Project and appropriating and re-appropriating funds, Schedule No. 42. [Div. of Budgeting, Lueker]
11. **0316-21** An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$195 from Neighborhood Development Funds for purchase and replacement of a damaged right-of-way tree at the Belleau Wood neighborhood entrance, Schedule No. 39. [Div. of Budgeting, Lueker]
12. **0317-21** 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. 37. [Div. of Budgeting, Lueker]
13. **0274-21** An Ordinance amending the authorized strength by abolishing one (1) vacant classified position of Sewer Line Maintenance Assistant Superintendent, Grade 520E, one (1) vacant classified position of Maintenance Mechanic, Grade 515N and creating one (1) classified position of Public Service Supervisor Sr., Grade 517N, and one (1) classified position of Engineering Technician Sr., Grade 516N, in the Div. of Water Quality, effective upon passage of Council. [Div. of Human Resources, Maxwell]

VIII. Resolutions – Second Reading

1. **0208-21** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with AudienceView Inc. for ticket services for the Pam Miller Downtown Arts Center, at no cost to the government. [Dept. of General Services, Conrad]
2. **0211-21** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from the City of Manassas, Virginia of 34 Scott air packs, for use at the Div. of Fire and Emergency Services, at no cost to the Urban County Government. [Div. of Fire and Emergency Services, Wells]

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| 3. | 0215-21 | A Resolution amending Resolution 657-2019 to revise account numbers for payment of \$199,949 to Gresham Smith and Partners, for services under Contract Modification No. 5 for the Town Branch Commons Corridor. [Mayor's Office, Peacher] |
| 4. | 0216-21 | A Resolution amending Resolution 116-2020 to revise account numbers for payment of \$94,000 to Stantec Consulting Services, Inc., for services under a Professional Services Agreement related to the Town Branch Commons and Town Branch Trail Phase 6 and Turn Lane projects. [Mayor's Office, Peacher] |
| 5. | 0218-21 | A Resolution amending Resolution 126-2020 to revise account numbers for payment of \$160,233 to Acheulean Consulting for services under a Professional Services Agreement related to the Town Branch Commons construction project. [Mayor's Office, Peacher] |
| 6. | 0219-21 | A Resolution authorizing and directing the Mayor to execute an Agreement with Management Registry, Inc., to provide support staff for the Chemical Stockpile Emergency Preparedness Program, at a cost not to exceed \$184,033. [Div. of Emergency Management, Dugger] |
| 7. | 0225-21 | A Resolution accepting the bids of Central Equipment Co. and Wright Implement, establishing price contracts for Tractor and Mower Parts, for the Div. of Facilities and Fleet Management. (2 Bids) [Baradaran] |
| 8. | 0242-21 | A Resolution accepting the bids of Wastequip Manufacturing Co., LLC, and Taza Supplies, establishing price contracts for Open Top Containers, for the Div. of Waste Management. (2 Bids) [Thurman] |
| 9. | 0253-21 | A Resolution accepting the bid of Old Glory Resources, Inc., establishing a price contract for Wood Fiber Safety Surface, for the Div. of Parks and Recreation. (3 Bids, Low) [Conrad] |
| 10. | 0269-21 | A Resolution ratifying the Probationary Classified Civil Service Appointments of: Nolan Sweet, Technical Specialist, Grade 515N, \$18.797 hourly in the Div. of Computer Services, effective March 22, 2021, Anthony Owens, Public Service Supervisor Sr., Grade 517N, \$23.352 hourly in the Div. of Water Quality, effective March 22, 2021; and ratifying the Probationary Sworn Appointment of: Timothy Graul, Police Sergeant, Grade 315N, \$32.408 hourly in the Div. of Police, effective March 15, 2021; and ratifying the Classified Civil Service Voluntary Demotion of: Brenna Angel, Information Office Supervisor, Grade 522E, \$2,700.88 biweekly in the Div. of Parks and Recreation, effective April 5, 2021. [Div. of Human Resources, Maxwell] |

11. **0217-21** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to an Agreement with Welcome House of Northern Ky. in order to reduce the total contract price by \$60,896 and extend the period of performance for a fourth year, and to provide an option to renew the contract for a fifth year at a cost of \$94,960. [Office of Homelessness Prevention and Intervention, Ruddick]
12. **0220-21** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 6 with the Ky. Transportation Cabinet, for the acceptance of additional Federal funds in the amount of \$3,855,000 for the Newtown Pike Extension Project, the acceptance of which obligates the Urban County Government for the expenditure of \$200,000 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget. [Div. of Engineering, Burton]
13. **0221-21** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute the Second Renewal of the Agreement with Advanced Mulching Technologies, Inc. d/b/a EcoGro, for post-construction monitoring, reporting, and maintenance relating to the Coldstream Park Stream Corridor Restoration and Preservation Project, a Supplemental Environmental Project required by the Consent Decree, at a cost estimated not to exceed \$133,810. [Div. of Water Quality, Martin]
14. **0226-21** A Resolution authorizing and directing the Div. of Traffic Engineering to install five (5) speed tables on Pine Bloom Drive between Alexandria Drive and Georgian Way per guidelines in the Neighborhood Traffic Management Program, at a cost not to exceed \$22,500. [Div. of Traffic Engineering, Neal]
15. **0233-21** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with the University of Ky. Army ROTC, for the use of Hisle Farm Park for ROTC training, at no cost to the government. [Div. of Parks and Recreation, Conrad]
16. **0234-21** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with Children's Advocacy Center of the Bluegrass, for additional forensic interviews, at a cost not to exceed \$50,000. [Div. of Police, Weathers]

17. **0238-21** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant to Walnut Hill Club at Chilesburg Owners Association, Inc., for stormwater quality projects, at a cost not to exceed \$98,400. [Div. of Water Quality, Martin]
18. **0239-21** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Education) Incentive Grant to Bluegrass Greensource, Inc., for stormwater quality projects, at a cost not to exceed \$35,000. [Div. of Water Quality, Martin]
19. **0240-21** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Railroad Facility Encroachment Agreement with CSX Transportation, Inc., for the New Circle Rd. Trunks A & B Sewer Project, a Remedial Measures Project required by the Consent Decree, at a cost not to exceed \$8,600. [Div. of Water Quality, Martin]
20. **0243-21** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Master Services Agreement and related documents with TrustedSec, LLC, for LFUCG Technical Infrastructure Security Assessment Services, for the Chief Information Officer, at a cost not to exceed \$12,000; and authorizing the Chief Information Officer to execute necessary Change Orders for this project up to a cumulative amount not to exceed twenty percent (20%) of the Contract price. [Dept. of Information Technology, Valicenti]
21. **0245-21** A Resolution approving and authorizing a Supplemental Assistance Agreement between the Lexington-Fayette Urban County Government and the Ky. Infrastructure Authority to provide an additional \$15,811,809 in loan funds for Phase 2 of the West Hickman Wet Weather Storage Tanks Project. [Div. of Water Quality, Martin]
22. **0248-21** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with the Commonwealth of Ky. Education and Workforce Development Cabinet, Dept. of Workforce Investment, at a cost not to exceed \$2,400. [Div. of Police, Weathers]
23. **0249-21** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with AssetWorks Risk Management Inc., a sole source provider, for professional property appraisal services, for comprehensive

property insurance appraisal services and supplemental property underwriting data, at a cost not to exceed \$33,000. [Div. of Human Resources, Maxwell]

- 24. 0250-21** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Dept. of Environmental Protection-Div. of Waste Management, and 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 \$102,000 in Commonwealth of Ky. funds, for the support of a one-day household hazardous waste recycling event for Fayette County in FY 2022, the acceptance of which obligates the Urban County Government to the expenditure of \$25,500 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget. [Div. of Waste Management, Thurman]
- 25. 0251-21** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit various Grant Applications to the Ky. Transportation Cabinet, to provide any additional information requested in connection with these Grant Applications, and to accept these Grants if these Grants are awarded, which Grant funds are in the amount of \$793,176 ((\$401,600 - FHWA Planning), (\$48,400 - Federal Transit Administration Section 5303), (\$343,176 - Surface Transportation Block Grant (SLX)) in Federal funds, and are for FY 2022 Transportation Planning Activities, under the Unified Planning Work Program (UPWP), the acceptance of which obligates the Urban County Government for the expenditure of \$173,194 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget. [Div. of Planning, Duncan]
- 26. 0258-21** A Resolution dividing the Extended Social Resource (ESR) Program into two distinct and operationally independent components: the Community Based Initiatives Program, administered by the Dept. of Social Services, and the Overnight Emergency Shelter Program, administered by the Office of Homelessness Prevention and Intervention; setting a minimum Budgetary funding goal of one percent (1%) of the General Fund Revenue collected from the last full fiscal year; and establishing funding percentages for each component of the ESR Program within the ESR Program Budget. [Council Office, Maynard]

IX. Resolutions – First Reading

- 27. 0295-21** A Resolution ratifying the Probationary Classified Civil Service Appointment of: Everett Hampton, Skilled Trades Worker, Grade 515N, \$21.104 hourly in the Div. of Facilities and Fleet Management, effective March 29, 2021; and ratifying the Permanent Classified Civil Service Appointments of: George Robinson III, Heavy Equipment Technician, Grade 518N, \$23.936 hourly in the Div. of Facilities and Fleet Management, effective March 21, 2021, Sachatawana Toller, Equipment Operator Sr., Grade 512N, \$16.291 hourly in the Div. of Streets and Roads, effective March 21, 2021, Dennis Forbes, Equipment Operator Sr., Grade 512N, \$17.766 hourly in the Div. of Streets and Roads, effective March 8, 2021; and ratifying the Permanent Sworn Appointment of: Ron Moore, Police Sergeant, Grade 315N, \$32.408 hourly in the Div. of Police, effective February 28, 2021; and ratifying the Classified Civil Service Voluntary Demotion of: Danny Stevens, Public Service Worker, Grade 507N, \$18.079 hourly in the Div. of Parks and Recreation, effective March 8, 2021. [Div. of Human Resources, Maxwell]
- 28. 0296-21** A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Classified Civil Service Appointments: Alex Herring, Equipment Operator Sr., Grade 512N, \$16.792 hourly in the Div. of Streets and Roads, effective April 12, 2021, Melissa Turner, Social Worker, Grade 513E, \$1,434.40 biweekly in the Div. of Family Services, effective April 5, 2021; and authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Community Corrections Officer Appointments: Jacob Shearer and Wesley Kreifels, both Community Corrections Officer Recruit, Grade 109N, \$15.384 hourly in the Div. of Community Corrections, effective upon passage of Council; and authorizing the Div. of Human Resources to make a conditional offer to the following Unclassified Civil Service Appointment: Felicia Johnson, Educational Program Aide P/T, Grade 508N, \$14.918 hourly in the Div. of Youth Services, effective March 22, 2021. [Div. of Human Resources, Maxwell]
- 29. 0306-21** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Agreement with the U.S. Dept. of Housing and Urban Development under the Housing Opportunities for Persons with AIDS (HOPWA) Grant Program, extending the Period of Performance through April 30, 2021, and shifting funding from one eligible activity to another. [Council Office, Maynard]

- 30. 0307-21** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement and any necessary documents, including amendments that do not require the expenditure of additional funds, with Catholic Charities of the Diocese of Lexington to provide additional relocation services to the public, at a total cost not to exceed \$204,016. [Council Office, Maynard]
- 31. 0304-21** A Resolution, on behalf of the Urban County Government, authorizing and directing the Mayor to accept a direct allocation of Federal Grant funds from the United States Treasury under the American Rescue Plan Act of 2021, which Grant funds are up to \$9,000,000, for the purpose of providing emergency rental assistance to residents of Fayette County, 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. [Council Office, Maynard]
- 32. 0310-21** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Wild Health, Inc., and its subsidiary, C19 Laboratories, Inc., in order to provide testing for COVID-19. [Council Office, Maynard]
- 33. 0267-21** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant to Griffin Gate Community Association, Inc., for stormwater quality projects, at a cost not to exceed \$10,293.20. [Div. of Water Quality, Martin]
- 34. 0272-21** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Environmental Covenant with the Commonwealth of Ky., Transportation Cabinet, related to the Newtown Pike Extension Project, at no cost to the Urban County Government. [Div. of Engineering, Burton]
- 35. 0273-21** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Office of Homeland Security, which Grant funds are in the amount of \$201,500 in Federal funds under the FY 2020 State Homeland Security Grant Program, for the purchase of a camera, searchlight, navigation hardware and software and associated support equipment and installation 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]

X. Communications From the Mayor**0297-21**

- (1) Recommending the appointment of Adam Smith, Utility Industry Representative - Voting, filling the unexpired term of Robert Trimble, to the Corridors Commission, with term expiring August 1, 2023;
- (2) Recommending the reappointment of Larry Isenhour, District 5 Resident, to the Environmental Commission, with term expiring February 23, 2025;
- (3) Recommending the reappointment of Olivia Davis, to the Explorium Board, with term expiring June 30, 2024;
- (4) Recommending the appointment of Ann Bakhaus, to the Lexington Center Corporation, with term expiring July 1, 2024; and,
- (5) Recommending the reappointment of Todd Lockhart, Fayette County Representative, and the appointment of Steve Cox, Fayette County Representative, to the Valley View Authority, with both terms expiring May 2, 2025.

XI. Fire/Police Discipline - NO**XII. Announcements****Adjournment**