

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, June 21, 2022

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**Urban County Council
Schedule of Meetings
June 20, 2022 – June 27, 2022**

Monday, June 20

Juneteenth Holiday – LFUCG Offices Closed

Tuesday, June 21

Redistricting Workgroup.....11:30 am
Conference Room – 5th Floor Government Center

Planning & Public Safety Committee.....1:00 pm
Council Chamber – 2nd Floor Government Center

Council Work Session.....3:00 pm
Council Chamber – 2nd Floor Government Center

Council Meeting: Zone Change Public Hearing.....5:30 pm
Council Chamber – 2nd Floor Government Center

Wednesday, June 22

Goal 4 Workgroup.....10:00 am
Conference Room – 5th Floor Government Center

Commission for People with Disabilities.....11:00 am
Senior Center – 195 Life Lane

Transportation Policy Committee.....1:30 pm
Council Chamber – 2nd Floor Government Center

Thursday, June 23

Confirmation Hearing.....5:30 pm
Council Chamber – 2nd Floor Government Center

Council Meeting.....6:00 pm
Council Chamber – 2nd Floor Government Center

Friday, June 24

No Meetings

Monday, June 27

No Meetings

Lexington-Fayette Urban County Council
Work Session Agenda
June 21, 2022

- I. Public Comment - Issues on Agenda
- II. Requested Rezoning/ Docket Approval – Yes
- III. Approval of Summary – Yes, p. 1-2
 - a Table of Motions: Council Work Session, June 14, 2022
- IV. Budget Amendments – Yes, p. 3-5
- V. New Business – Yes, p. 6-17
- VI. Continuing Business/ Presentations
 - a Summary: Planning & Public Safety Committee, April 19, 2022, p. 18-21
- VII. Council Reports
- VIII. Mayor's Report – Yes
- IX. Public Comment - Issues Not on Agenda
- X. Adjournment

Administrative Synopsis - New Business Items

- a** **0501-22** Authorization to execute a Professional Services Agreement pursuant to RFP 12-2022 with Sentinel Offender Services, LLC, to provide court-ordered Electronic Monitoring services for the offender population on home incarceration. Costs are based on participation. Funds are budgeted. (L0501-22) (Farmer/Armstrong) p. 6
- b** **0549-22** Authorization to execute Agreements with Bell Engineering for the Capacity Assurance Program Audit, the low and only bidder pursuant to RFP #4-2022, at a cost of \$13,500.00. Funds are budgeted. (L0549-22) (Martin/Albright) p. 7-8
- c** **0610-22** Authorization to execute lease agreements with Samuel Garcia for residential park property located at 3990 Raven Run Way at an annual rent of \$7,080.00 and with Fred Williamson for residential park property located at 4051 Richmond Road at an annual rent of \$2,220.00. (L0610-22) (Conrad/Ford) p. 9
- d** **0612-22** Authorization to change street names and/or individual numbers of addresses within the 3rd, 7th and 11th Council Districts, changing 3825 Branham Park to 449 Weston Park, 2181 Versailles Rd. to 2177 Versailles Rd., 2650 Palumbo Dr. to 2654 Palumbo Dr., 1812 Versailles Rd. to 1824 Hill Rise Dr., 1301 W. Main St. to 125 Turners Commons Way, 1303 W Main St. to 160 Turners Commons Way, 365 Old Vine St. to 360 E. Vine St., 404 Reeces Run to 404 Dentons Trl., and 405 Reeces Run to 405 Dentons Trl., all effective 30 days from passage. No budgetary impact. (L0612-22) (Patton/Armstrong) p. 10-12
- e** **0620-22** Authorization to execute an Agreement with Kentucky Underground Storage, Inc. to alleviate space issues at the Records Center and Archives warehouse at a cost not to exceed \$17,912.80. Funds are budgeted in FY 2023. (L0620-22) (Allan/Hamilton) p. 13
- f** **0622-22** Authorization to accept federal funds in the amount of \$250,000 and to execute an agreement for the design phase of the Citation Boulevard Phase 3B Project as funded under the Kentucky Transportation Cabinet from the Coronavirus Response and Relief Supplemental Act (CRRSA). No matching funds required. (L0622-22) (Burton/Albright) p. 14-15
- g** **0623-22** Authorization to increase the salaries of all eligible full-time permanent employees and part-time employees included in the unified pay plan (including employees who would otherwise be ineligible due to grade max restriction) by 5.0%. This action also amends the unified pay plan's salary schedules by adjusting the schedules by 2.5% and amends Section 23-28 of the Code of Ordinances by increasing the existing step structure of Police Chief and Fire Chief by 5.0% and adjusting the incumbents' salaries accordingly. Finally, this action increases salaries of the following positions by 5.0%: Council Administrator (1), Law Clerk P/T (3) and Park Patrol Coordinator (1). All actions are effective June 20, 2022. Funds are budgeted in FY 2023. (L0623-22) (Walters/Hamilton) p. 16
- h** **0624-22** Authorization to execute a Second Amendment to the Waste Supply and Disposal Agreement with Waste Services of the Bluegrass, Inc. (WSB), for the institution of a fixed fuel surcharge in the amount of \$2.68 per ton when retail prices exceed certain thresholds, and further authorization to negotiate adjustments to the fuel surcharge when the retail cost of diesel fuel exceeds certain thresholds. A budget amendment will process in FY 2023. (L0624-22) (Thurman/Albright) p. 17

Urban County Council
Work Session
Table of Motions
June 14, 2022

Vice Mayor Kay called the meeting to order at 3:27pm. Council Members Moloney, Ellinger, J. Brown, McCurn, LeGris, Lamb, Kloiber, Worley, F. Brown, Baxter, Bledsoe, Reynolds and Plomin were present. Council Member Sheehan was absent.

- I. Public Comment – Issues on Agenda
- II. Requested Rezonings/Docket Approval
- III. Approval of Summary

Motion by Ellinger to approve the June 7, 2022 work session summary. Seconded by Baxter. Motion passed without dissent.

- IV. Budget Amendments
- V. New Business

Motion by Plomin to approve new business. Seconded by LeGris. Motion passed without dissent with one no vote on item F. Moloney voted no on item F.

- VI. Continuing Business/Presentations

Council Member Lamb provided a summary of the May 10, 2022 General Government & Social Services Committee meeting.

Motion by Lamb to approve the Human Resources Proposed Text Amendments (Chapters 21 and 22) as presented at the May 10, 2022 General Government & Social Services Committee meeting. Seconded by J. Brown. Motion passed without dissent.

There were no additional motions to report from this meeting.

Council Member Lamb provided a brief summary of the June 14, 2022 General Government & Social Services Committee meeting.

Motion by Lamb to abolish the Urban County Arts Review Board and transfer the duties and powers to the Lexington-Fayette Urban County Government Public Arts Commission and recognizing the completion of the Public Arts Master Plan. Seconded by Baxter. Motion passed without dissent.

There were no additional motions to report from the meeting.

VII. Council Reports

Motion by Bledsoe to to place on the docket for the June 23, 2022 Council meeting an ordinance suspending Section 16-403(2)(c) of the Code of Ordinances, which authorizes the adjustment of the water quality management fee based on the Consumer Price Index, for FY2023, and instead increasing the water quality management fee for each parcel from \$5.23 to \$5.37 per equivalent residential unit per month, effective July 1, 2022. Seconded by Plomin. Motion passed 13-1. Kay, Moloney, Ellinger, J. Brown, McCurn, LeGris, Lamb, Kloiber, Worley, Baxter, Bledsoe, Reynolds and Plomin voted yes. F. Brown voted no.

Motion by F. Brown to refer an evaluation of the percent for the arts resolution to the General Government & Social Services Committee. Seconded by Reynolds. Motion passed without dissent.

Motion by Reynolds to refer minimizing over concentration of Social Services in neighborhoods to the Planning & Public Safety Committee. Seconded by J. Brown. Motion passed 13-1. Kay, Ellinger, J. Brown, McCurn, LeGris, Lamb, Kloiber, Worley, F. Brown, Baxter, Bledsoe, Reynolds and Plomin voted yes. Moloney voted no.

VIII. Mayor's Report

IX. Public Comment – Issues Not on Agenda

X. Adjournment

Motion by Bledsoe to adjourn at 3:57pm. Seconded by Baxter. Motion passed without dissent.

BUDGET AMENDMENT REQUEST LIST

JOURNAL	BA 1	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of HUD 2,615,132.00 2,615,132.00CR .00
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To establish grant budget for Community Development Block Grant (CDBG) - FY 2023.

JOURNAL	BA 2	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of HUD 414,034.00 414,034.00CR .00
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To establish grant budget for Emergency Solutions FY 2023 grant.

JOURNAL	BA 3	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of HUD 1,742,387.00 1,742,387.00CR .00
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To establish grant budget for Home FY 2023 grant.

JOURNAL	BA 4	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Justice 55,000.00 55,000.00CR .00
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To establish grant budget for Street Sales FY 2023 grant.

JOURNAL	BA 5	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Transportation 250,000.00 250,000.00CR .00
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To establish grant budget for Citation Boulevard Phase 3B project from the Kentucky Transportation Cabinet Coronavirus Response and Relief Supplemental Act (CRRSA) FY 2023.

JOURNAL	BA 6	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Transportation 564,000.00 564,000.00CR .00
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To establish grant budget for Federal Highway FY 2023.

JOURNAL	BA 7	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Transportation 90,750.00 90,750.00CR .00
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To establish grant budget for Federal Transit Administration Section 5303 - FY 2023.

JOURNAL	BA 8	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Transportation 600,000.00 600,000.00CR .00
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To establish grant budget for ITS/CMS (Intelligent Transportation System/Congestion Management System) Traffic Improvements Project for FY 2023.

JOURNAL	BA 9	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Transportation 65,000.00 65,000.00CR .00
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To establish grant budget for Kentucky Transportation Cabinet's Office of Highway Safety Impaired Driving Program FY 2023.

JOURNAL	BA 10	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Transportation 428,970.00 428,970.00CR .00
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To establish grant budget for SLX - FY 2023.

JOURNAL	BA 11	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Transportation 115,000.00 115,000.00CR .00
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To establish grant budget for the Motor Carrier Safety Assistance Program (MCSAP) FY 2023 grant.

JOURNAL	BA 12	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Transportation 197,445.00 197,445.00CR .00
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To establish grant budgets for Traffic Safety FY 2023.

JOURNAL	BA 13	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Transportation 65,000.00 65,000.00CR .00
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To establish grant budgets for Traffic Safety Occupant Protection Program FY 2023.

JOURNAL	BA 14	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of HHS 75,150.00 75,150.00CR .00
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To establish grant budget for Community Paramedicine Quick Response Team grant - FY 2023.

JOURNAL	BA 15	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of HHS 650,000.00 650,000.00CR .00
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To establish grant budget for Home Network FY 2023.

JOURNAL	BA 16	DIVISION	Grants and Special Programs	Fund Name Fund Impact	Grants - State 3,595,162.00 3,595,162.00CR .00
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To establish grant budget for Fire Training - FY 2023.

JOURNAL	BA 17	DIVISION	Grants and Special Programs	Fund Name Fund Impact	Grants - State 127,500.00 127,500.00CR .00
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To establish grant budget for Kentucky Household Hazardous Waste FY 2023.

JOURNAL	BA 18	DIVISION	Grants and Special Programs	Fund Name Fund Impact	Grants - State 3,433,110.00 3,433,110.00CR .00
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To establish grant budget for Police Training - FY 2023.

JOURNAL	BA 19	DIVISION	Grants and Special Programs	Fund Name Fund Impact	Grants - State 4,000.00 4,000.00CR .00
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To establish grant budget for Waste Tire - FY 2023.

BUDGET AMENDMENT REQUEST SUMMARY

3120	US Department of Housing & Urban Development	.00
3140	US Department of Justice	.00
3160	US Department of Transportation	.00
3190	US Department of Health & Human Services	.00
3400	Grants - State	.00

MAYOR LINDA GORTON



LEXINGTON

SALLY HAMILTON
CHIEF ADMINISTRATIVE OFFICER

TO: Mayor & the Urban County Council
FROM: Division of Community Corrections
CC: Director Lisa Farmer
DATE: May 16, 2022
SUBJECT: Agreement with Sentinel for Electronic Monitoring for inmates

Request

Authorization to: to enter into Professional Services Agreement between Division of Community Corrections and Sentinel Offenders Services, LLC.

Why are you requesting?

Department needs this action completed because: to provide court-ordered Electronic Monitoring Services for inmates on home incarceration.

What is the cost in this budget year and future budget years?

The cost for this FY is: \$ to be determined (based on participation)

The cost for future FY is: \$ to be determined (based on participation)

Are the funds budgeted? Yes

The funds are budgeted or a budget amendment is in process:

Account number: 1101-505403-5433-71299

File Number: 0501-22

Director/Commissioner:

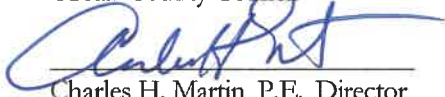


MAYOR LINDA GORTON

**LEXINGTON**

CHARLES H. MARTIN, P.E.
DIRECTOR
WATER QUALITY

TO: Mayor Linda Gorton
Urban County Council

FROM: 
Charles H. Martin, P.E., Director
Division of Water Quality

DATE: May 24, 2022

SUBJECT: Capacity Assurance Program Audit (RFP #4-2022)

Request

This memorandum is to request award of contract to Bell Engineering for Capacity Assurance Program Audit under RFP #4-2022.

Purpose of Request

The purpose of this memorandum is to request approval of agreements between LFUCG and Bell Engineering, the low and only bidder, for the Capacity Assurance Program Audit—RFP #4-2022.

A workgroup consisting of representatives as defined by CAO Policy # 1 recommends selection of Bell Engineering. Selection of the firm(s) was based on the criteria provided in the table below.

	Criteria	Points
1.	Specialized Experience and Technical Competence	25
2.	Familiarity with the Program	15
3.	Past Record and Performance with LFUCG	10
4.	Capacity of the Person or Firm Organization to Perform the Work	10
5.	Character, Integrity, Reputation, Judgement, Experience, and Efficiency of the Person or Firm	10



6.	Fees/Cost of Service	20
7.	Degree of Local Employment	10

Project Cost in FY22 and in Future Budget Years

This contract is for the firm to provide a Capacity Assurance Program Audit for the amount of Thirteen Thousand, Five Hundred Dollars (\$13,500.00).

Are Funds Budgeted

Funds are budgeted in: 4003-303410-3471-71205 Bud Ref 2022 CAPASSE CONST_DE

Director/Commissioner

Martin/Albright

Cc: Gregory S. Lubeck, P.E., Deputy Director Division of Water Quality
Christopher Dent, P.E., Engineering Section Manager Sanitary Sewers



MAYOR LINDA GORTON

**LEXINGTON**MONICA CONRAD
DIRECTOR, PARKS & RECREATION

TO: Mayor Linda Gorton
Honorable Members, Urban County Council

FROM: 
Monica Conrad, Director, Parks and Recreation

DATE: June 14, 2022

SUBJECT: Lease Agreement

Request:

Request Council Authorization for the Mayor to execute Lease Agreements for residential park properties with the following individuals for the listed properties in consideration of the sums stated in annual rent: Samuel Garcia for 3990 Raven Run Way, \$7,080.00; Fred Williamson for 4051 Richmond Road, \$2,220.00.

Purpose:

The agreements between Lexington Fayette Urban County Government and tenants are reviewed annually with the goal of achieving 75% of fair market value. All properties are currently rented at this rate.

Budgetary Implication:

The cost for Fiscal Year 2023 is \$0.

Are the funds budgeted?

Yes, revenue - 1101-707606-7672-42181

File Number: 0610-22

Director/Commissioner: Monica Conrad



Linda Gorton
MAYOR



LEXINGTON

Jonelle Patton
DIRECTOR
ENHANCED 911

TO: Mayor Linda Gorton
Council Members

FROM: Jonelle Patton, Director
Lexington Enhanced 911

DATE: June 8, 2022

SUBJECT: E911 Quarterly Address Changes

Request:

The Division of Enhanced 911 is requesting a resolution authorizing the Mayor to change street names and/or individual numbers of addresses within the 3rd, 7th and 11th Council Districts.

Why are you requesting?

The Division of E911 needs this action completed because the street name and/or number changes are necessary to ensure the proper operation of the Enhanced 9-1-1 system. The corrections eliminate confusing, duplicate and/or improperly named and numbered addresses in Fayette County.

What are the costs in this budget year and future budget years?

N/A

Are the funds budgeted?

N/A

File Number: 0612-22



RESOLUTION NO. _____ - 2022

A RESOLUTION CHANGING THE PROPERTY STREET NAME OF 2181 VERSAILLES ROAD TO 2177 VERSAILLES ROAD, AND CHANGING THE STREET NAME AND PROPERTY ADDRESS NUMBER OF 404 REECES RUN TO 404 DENTONS TRAIL, 405 REECES RUN TO 405 DENTONS TRAIL, 1812 VERSAILLES ROAD TO 1824 HILL RISE DRIVE, 1303 WEST MAIN STREET TO 160 TURNERS COMMON WAY, 1301 WEST MAIN STREET TO 125 TURNERS COMMONS WAY, 365 OLD VINE STREET TO 360 EAST VINE STREET, AND 3825 BRANHAM PARK TO 449 WESTON PARK, ALL EFFECTIVE THIRTY (30) DAYS FROM PASSAGE.

WHEREAS, the Lexington-Fayette Urban County Government has created a Geographic Information System ("GIS"); and

WHEREAS, the GIS street mapping and addressing project is the foundation for the Urban County Government's enhanced 911 Emergency Telephone Communication System (the "911 System"); and

WHEREAS, in order for the GIS and 911 Systems to function properly it is imperative that street names and property addresses conform to the standards established in Section 17-2 through 17-4 of the Code of Ordinances; and

WHEREAS, various street names and property addresses located in several Council Districts do not meet the Code requirements and changes should be made to conform to the Code and to accomplish the goals of the GIS and 911 System projects.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That the property street name of the following property be and hereby is changed as follows:

- (a) Versailles Road
- | <u>Current</u> | <u>New</u> |
|----------------------|----------------------|
| 2181 Versailles Road | 2177 Versailles Road |

Section 2 – That the street name and property address number of the following property be and hereby is changed as follows:

- (a) Reeces Run: That the name of Reeces Run located at 404 is changed to Dentons Trail and the following number change is made:
- | <u>Current</u> | <u>New</u> |
|----------------|-------------------|
| 404 Reeces Run | 404 Dentons Trail |

- (b) Reeces Run: That the name of Reeces Run located at 405 is changed to Dentons Trail and the following number change is made:

<u>Current</u>	<u>New</u>
405 Reeces Run	405 Dentons Trail

- (c) Versailles Road: That the name of Versailles Road located at 1812 is changed to Hill Rise Drive and the following number change is made:

<u>Current</u>	<u>New</u>
1812 Versailles Road	1824 Hill Rise Drive

- (d) West Main Street: That the name of West Main Street located at 1303 is changed to Turners Common Way and the following number change is made:

<u>Current</u>	<u>New</u>
1303 West Main Street	160 Turners Common Way

- (e) West Main Street: That the name of West Main Street located at 1301 is changed to Turners Common Way and the following number change is made:

<u>Current</u>	<u>New</u>
1301 West Main Street	125 Turners Common Way

- (f) Old Vine Street: That the name of Old Vine Street located at 365 is changed to East Vine Street and the following number change is made:

<u>Current</u>	<u>New</u>
365 Old Vine Street	360 East Vine Street

- (g) Branham Park: That the name of Branham Park located at 3825 is changed to Weston Park and the following number change is made:

<u>Current</u>	<u>New</u>
3825 Branham Park	449 Weston Park PVA #38281041

Section 3 - That this Resolution shall be effective thirty (30) days from passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

MAYOR LINDA GORTON



LEXINGTON

SALLY HAMILTON
CHIEF ADMINISTRATIVE OFFICER

TO: LINDA GORTON, MAYOR
URBAN COUNTY COUNCIL
FROM: ABIGAIL ALLAN, COUNCIL CLERK
CC:
DATE: JUNE 10, 2022
SUBJECT: AGREEMENT WITH KENTUCKY UNDERGROUND STORAGE, INC.

Request: Authorization to enter into an Agreement with Kentucky Underground Storage, Inc.

Purpose of Request: The Records Center and Archive (RCA) warehouse is out of space. This agreement will allow for offsite storage of all City records. The additional service will allow for the housing, cataloging, and retrieval of records while maintaining compliance with the set retention schedules.

The cost for FY23 is: estimated 17,912.80

The cost for future FY is: \$17,912.80

Are the funds budgeted? yes

Account number: 123001-0001-71208

File Number: 620-22

Director/Commissioner: Allan/ Hamilton



MAYOR LINDA GORTON



LEXINGTON

THERESA REYNOLDS
DIRECTOR
GRANTS & SPECIAL PROGRAMS

**TO: LINDA GORTON, MAYOR
URBAN COUNTY COUNCIL**

**FROM: THERESA REYNOLDS, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

DATE: JUNE 13, 2022

SUBJECT: KYTC Agreement for Citation Boulevard Phase 3B Project – Design Phase

Request: Council authorization to accept federal funds in the amount of \$250,000 and execute agreement for the design phase of the Citation Boulevard Phase 3B Project as funded under the Kentucky Transportation Cabinet from the Coronavirus Response and Relief Supplemental Act (CRRSA). No matching funds required.

Purpose of Request: The Kentucky Transportation Cabinet has approved the Lexington-Fayette Urban County Government to use federal funds from the Coronavirus Response and Relief Supplemental Act (CRRSSA) for the design of the Citation Boulevard Phase 3-B Project.

The Citation Boulevard Phase 3-B Improvement Project is a multimodal project extending the current road (Citation Boulevard Phase 3A) from Winburn Drive to Russell Cave Road. Improvements include constructing a new road with curb, gutter and storm water piping, installing and adding sidewalks where none currently exist. Citation Boulevard Phase 3-B improvements will be the final section of the Citation Boulevard Project beginning at Leestown Road and terminating at Russell Cave Road.

The Citation Boulevard Phase 3-B Project is an approved Lexington Area Metropolitan Planning Organization (MPO) priority project in the MPO 2021-2024 Transportation Improvement Program (TIP). The TIP was incorporated by reference into the 2019-2022 Statewide Transportation Improvement Program (STIP) Amendment 2018.009.

What is the cost in this budget year and future budget years? The total cost FY23 is \$250,000. Future years funding is dependent upon availability of grant funding.

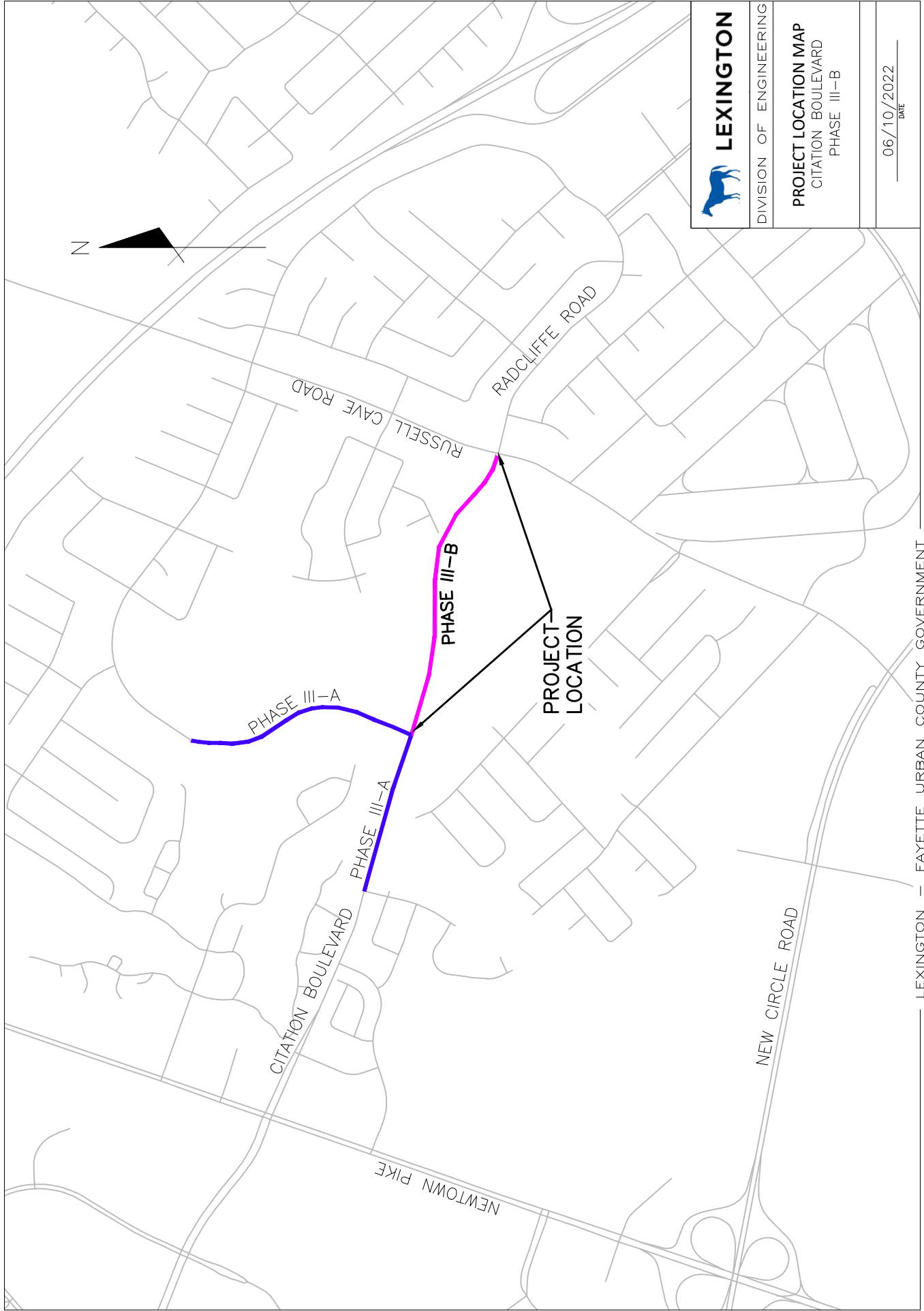
Are the funds budgeted? FY23 budget amendment is in process.

File Number: 0622-22

Director/Commissioner: Burton/Albright



 LEXINGTON	DIVISION OF ENGINEERING
	PROJECT LOCATION MAP CITATION BOULEVARD PHASE III-B
DATE 06/10/2022	



MAYOR LINDA GORTON



LEXINGTON

TAMARA WALTERS
DIRECTOR
HUMAN RESOURCES

M E M O R A N D U M

TO: Linda Gorton, Mayor
Sally Hamilton, Chief Administrative Officer
Council Members

FROM:

Tamara Walters, Director
Division of Human Resources

DATE: June 8, 2022

RE: Pay Increases and Salary Structure Movement – Division of Human Resources

Request:

The attached action increases the salaries of all eligible full-time permanent employees and part-time employees included in the unified pay plan (including employees who would otherwise be ineligible due to grade max restriction) by 5%. This action also amends the unified pay plan's salary schedules by adjusting the schedules by 2.5% and amends section 23-28 by increasing the existing step structure of Police Chief and Fire Chief by 5.0% and adjusting the incumbents' salaries accordingly. Finally, this action increases salaries of the following positions by 5.0%: Council Administrator (1), Law Clerk P/T (3) and Park Patrol Coordinator (1). All actions are effective June 20, 2022.

Why are you requesting:

All funding for the increase is included in the FY 2023 proposed budget and is contingent upon the approval of the budget.

File Number:

0623-22

Director/Commissioner:

Tamara Walters/Sally Hamilton

If you have questions or need additional information, please contact Alisha Lyle (859) 258-3957.



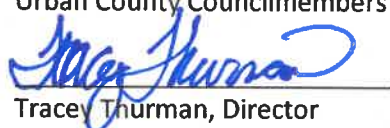
MAYOR LINDA GORTON



LEXINGTON

TRACEY THURMAN
DIRECTOR
WASTE MANAGEMENT

TO: Linda Gorton, Mayor
Urban County Councilmembers

FROM: 
Tracey Thurman, Director
Division of Waste Management

DATE: June 13, 2022

RE: Second Amendment to Waste Supply and Disposal Agreement

Request:

This is to request a Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Second Amendment to the Waste Supply and Disposal Agreement with Waste Services of the Bluegrass, Inc. (WSB), authorizing the institution of a fixed fuel surcharge in the amount of \$2.68 per ton when retail diesel prices exceed certain thresholds, and further authorizing the Mayor or her designee to negotiate adjustments to the fuel surcharge when the retail cost of diesel fuel exceeds certain thresholds.

Why are you requesting?

WSB has requested the imposition of a fixed fuel surcharge on a per-ton basis in order to continue to provide the services provided for in the Waste Supply and Disposal Agreement, citing the rising costs of diesel fuel. This amendment to the agreement provides that a fixed fuel surcharge shall only be payable when the retail cost of diesel fuel exceeds \$3.75 per gallon for a period of not less than four (4) consecutive weeks, as determined by reference to the weekly retail gasoline and diesel prices published by the U.S. Energy Information Administration. No additional adjustments shall be considered unless the retail cost of diesel fuel exceeds \$6.50 per gallon for a period of not less than four (4) consecutive weeks. LFUCG retains the ability to suspend the fixed fuel surcharge when diesel prices fall.

What is the cost in this budget year and future budget years?

The average monthly cost would be approximately \$42,727, with a yearly projected total of \$512,727.00.

Are funds budgeted? Budget Amendment will be processed in the FY 23 budget.





Planning and Public Safety Committee Meeting

April 19, 2022

Summary and Motions

Chair J. Brown called the meeting to order at 1:01 p.m. Committee Members Ellinger, McCurn, Lamb, Kloiber, Worley, Baxter, Bledsoe, and Plomin were in attendance. Committee Member Reynolds was absent. Council Members Moloney, LeGris, Sheehan, and F. Brown, and Vice Mayor Kay were also present as non-voting members.

I. Approval of February 15, 2022 Committee Summary

Motion by Baxter to approve the February 15, 2022 Committee Summary. Seconded by Plomin. Motion passed without dissent.

II. Residential Parking Permit Program

LeGris provided a brief introduction of the two Residential Parking Permit Program amendments. One amendment is for the South Hill Residential Parking Permit Program and the other is for the Bullock Place Residential Parking Permit Program.

Motion by Bledsoe to approve the amendment to the Residential Parking Permit Program for South Hill. Seconded by McCurn. Motion passed without dissent.

Motion by Bledsoe to approve the amendment to the Residential Parking Permit Program for Bullock Place. Seconded by McCurn. Motion passed without dissent.

III. Infill & Redevelopment Steering Committee Update

Sally Lambert-Warfield, Legislative Aide for the 3rd District Council Office, provided a report from the Infill & Redevelopment Steering Committee on the *Imagine Nicholasville Road Study*. After over a year of study, data collection, and public input, a plan has come forward that focuses on safety and efficiency for people travelling by car, bus, bike, or on foot. The committee decided that the best course of action would be looking at ways to support housing and mixed use opportunities in the Nicholasville Road area utilizing current available land use tools. One of these tools is Council Sponsored rezoning which offers three ways to begin a zone change process: developer led zone changes, Planning Commission led zone changes, or Council initiated zone changes. Following today's meeting, notification will be sent to the property owners explaining the proposed action and inviting them to discuss this issue with the Infill & Redevelopment Steering Committee. If the reaction from property owners is positive, the committee will schedule meetings to discuss the proposed action with nearby neighborhood associations and affected renters in the study area. Warfield noted that there are multiple "pause" points built in so the process can stop at any time should negative input be received.

Bledsoe asked if this would mean higher density housing and Warfield explained that this will also include mixed use development. She added that, with almost everything in that area being in the R2 zone, it wouldn't be difficult to get higher density than that. Bledsoe and Warfield confirmed the notification would be sent to property owners following today's meeting.

Baxter and Warfield clarified that if there is no opposition and we move forward with re-zoning, an area of similar zoning could be redeveloped into higher density housing or mixed use development. Warfield added that this would be the owner/developer's decision, but this provides an opportunity to do something different. Baxter and Warfield discussed the timeline and Warfield said the meeting with property owners would be around the first week of May. They anticipate the community meeting would be that same week of May, considering there is no opposition from the property owners. Baxter and Warfield confirmed that this item is not scheduled to report back to the committee at this time. J. Brown added that the Infill & Redevelopment Steering Committee wanted to have this proposal publicly announced prior to sending the notification.

Ellinger and Warfield confirmed that property owners have had no previous contact and are just hearing about this. Ellinger expressed concern that property owners who might be impacted are just learning about this. Kay explained that the intent was not to blindside anyone, but they wanted to give Council a heads up before informing property owners. Ellinger and Kay confirmed that there are no parameters in place to determine the number of property owners that are for or against this as a deciding factor for whether it moves forward or not. Kay added that the important thing to consider is that this is permissive and it gives the property owner an opportunity to increase density and property values.

LeGris thinks of this as a case study where in the past there have been a number of zone changes that were developer driven and this is floating the idea for a council driven zone change. She added that dramatic action doesn't need to be taken as this is only providing an option for a different process. Considering this moves forward, LeGris asked if we could set conditions in a zone change such as height requirement, no drive-through, etc. Warfield explained that they have had these conversations, but wanted to get feedback before setting limitations.

Lamb confirmed that the meeting dates are May 9 and 10 (the second meeting was later changed to May 12). This is an attempt to assist people and it has the potential to make their community better. She wants to make sure the message taken to the property owners and development community highlights inclusiveness and not displacement. She stressed that we want to work together to gather input and ideas.

McCurn asked if letters to property owners would also go to renters because he is interested in seeing the input from tenants. Warfield explained that renters would be included in the letters sent to neighborhood associations. Warfield added that the area in question does not have a neighborhood association so letters will be sent to renters.

Plomin asked how University of Kentucky (UK) has been involved in this process. Warfield said they reached out to UK to ensure the area in question was not within their acquisition boundary. UK has also been brought into several discussions and they have been broadly supportive.

Bledsoe mentioned that conversations with property owners need to include property taxes because zone changes cause property values to increase and the property owners will be responsible.

J. Brown and Warfield confirmed the area being considered is located in District 3. J. Brown asked the Division of Planning for additional comments and Director Duncan said they are favorable of this moving forward and working with UK, property owners, and tenants.

IV. Sustainable Growth Study Update

Craig Bencz, Administrative Officer Senior with the Chief Development Office, provided an update on Lexington's Sustainable Growth Study. He reviewed the goals of the study which creates objectives but it does not identify specific areas for preservation or expansion. He mentioned the *Existing Conditions and Growth Trends Report* which is available online. He reviewed 3 buildout scenarios and said all are consistent with the Comprehensive Plan and intended to be re-evaluated annually. He mentioned the projected growth demand for each of the three scenarios. He said the study questions whether we are growing in a way that is consistent with Comprehensive Plan and if each scenario is meeting certain requirements. He closed with a review of a proposed resolution requesting Council to adopt the study and reaffirm next steps. He highlighted some potential future steps and timing involved with those.

At this time, Chair Brown opened the floor for public comment. Several members of the public provided comments and Bencz took the time respond to those concerns.

Kay plans to announce that a multi-stakeholder workgroup will be established to formulate recommendations to the Planning Commission and Council on completion of the second half of the work envisioned in Theme E, Goal 4. Their charge will be to evaluate land in the rural area with potential for future development and establish a procedure for evaluating the data. He stressed that the most important thing is that we establish this baseline set of data to have a starting point which will provide the opportunity for us to see what is actually happening on an annual basis. He pointed out that this is a 20-year plan, but it is updated annually to account for unforeseen issues. He stressed that the committee's job today is to agree to move this forward to the full Council.

Bledsoe said the Task Force put in a lot of work and did a great job, but the process is not finished. She pointed out the difference in vacant and available land. When looking at vacant land in the report, you also have to consider whether the land is available to be developed (floodplain, FEMA protected, deed restricted, etc.). Before adopting this, we need to have disclosures about the availability of vacant land in order to make this credible or we won't have buy-in.

Kloiber asked what it actually means to adopt this study as a baseline. Mark Butler, Project Manager with Stantec, said the metrics used in the study were intended to be easily sourced and easily updated and would not be expensive to update on an annual basis. This is why the data consists of census data or real estate inventory data. As that data becomes available annually, they can show how trend lines have changed from year to year. Butler claims that any given scenario will produce, by zoning, a certain number of residential housing units. These are simple things the Planning staff can do and that is why it is the baseline. Kloiber requested additional information on what is being adopted with this resolution.

F. Brown expressed concern that there is a recommendation to adopt Lexington's Sustainable Growth Study when the study is not complete. He said expansion of the Urban Service Boundary (USB) should have been reviewed during the previous Comprehensive Plan. F. Brown and Bencz confirmed that exaction fees were not part of this and Bencz mentioned that there will be a different mechanism for future expansion areas as they are proposed.

Moloney suggested having a public hearing in the committee to hear the concerns before it goes to the full council.

Lamb stated that the resolution intends for the study to identify land for preservation and identification of land for potential future urban development and to be used in the preparation of future updates to the Comprehensive Plan, pointing out that the study shall not be used for findings necessary for proposed map amendments. She agrees that it is important to pass this resolution so we can move forward to the next step.

Kay and Bencz discussed the two resolutions included in the packet and Bencz explained the first resolution was adopted by the Planning Commission where they endorsed this process. The second resolution is for this committee and Council's consideration which will adopt the Sustainable Growth Study Framework for this to continue moving forward so the next steps can be completed. Kay shares concerns that have been expressed about other factors that can be considered at a later point should the data suggest it is time to consider the question of whether we are ready to look at expansion. He said the main thing this provides is a minimal amount of data that can be updated regularly so we can track where we are and how far we have come which will begin to answer the question of whether land that is vacant can actually be developed.

Kloiber agrees with the importance of getting data and moving data forward, but he feels the resolution does more than agree with a set of data that will be used as a baseline. He referenced section (2) which says we will request the Division of Planning to utilize this study in developing Comprehensive Plan Goals and Objectives which he feels also applies to methodology used for the evaluation. While he is in favor of adopting a collective data set, he has concerns with how useful or effective these methods of evaluation are. His concern is that this pushes forward more than just accepting data.

Worley said we are in a situation where we need to move things forward quickly, but agrees with doing this in tandem with the workgroup that will be established. He expressed concern with moving the resolution forward today because, while the data is helpful, some of it could be better explained and some could be updated. He feels that some of the scenarios of improvement are scenarios that we already encourage and, because we do not do this well, he has trouble accepting that methodology.

Lamb and Bencz confirmed that the data would be reviewed and updated on an annual basis. Bencz added that the intent is that, if the study moves forward, the framework and methodology would be adopted. Lamb said this is moving forward with the understanding that it will be updated each year and we need to move it forward so the data can be updated and analyzed.

Ellinger asked if the data is 2020 data as opposed to 2022 and if that makes a difference. Bencz confirmed it is 2020 data and he explained the intent is to update the data in July, but they want to make sure there is agreement to move forward before updating the data. He does not want to create the appearance that there is a rush to this, but noted that by adopting the framework in the existing conditions report, the data can be updated which will help inform next steps.

Due to time constraints, this item was continued to the May 24 Planning & Public Safety Committee meeting (update: there was a scheduling conflict and this was continued to June 21, 2022).

V. Items Referred to Committee

Motion by Bledsoe to adjourn at 2:50 p.m. Seconded by Baxter. Motion passed without dissent.