

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky December 1, 2022

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on December 1, 2022 at 6:01 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the Council: Kloiber, Lamb, LeGris, McCurn, Moloney, Plomin, Reynolds, Sheehan, Worley, Baxter, F. Brown, J. Brown, Ellinger, and Kay. Absent was Council Member Bledsoe.

The reading of the Minutes of the previous meeting was waived.

Ordinances No. 126-2022 through 129-2022, inclusive, and Resolutions No. 624-2022 through 636-2022, inclusive, were reported as having been signed and published and ordered to record.

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The Invocation was given by Council Member Fred Brown.

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At 6:03 p.m., upon motion by Vice Mayor Kay, seconded by Mr. Ellinger, and approved by unanimous vote, the Council went into closed session pursuant to KRS 61.810(1)(c).

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At 6:33 p.m., upon motion by Vice Mayor Kay, seconded by Ms. Plomin, and approved by unanimous vote, the Council reconvened in open session, with the same members present.

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The following ordinances received second reading. Upon motion by Mr. Ellinger, and seconded by Ms. Baxter, the ordinances were approved by the following vote:

Aye: Kloiber, Lamb, LeGris, McCurn, Moloney, -----14
Plomin, Reynolds, Sheehan, Worley,
Baxter, F. Brown, J. Brown, Ellinger, Kay

Nay: -----0

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 2023 Schedule No. 19.

An Ordinance amending the authorized strength by creating two (2) Classified Civil Service Positions of Language Access Specialist, Grade 523E, in the Office of the Mayor, effective July 1, 2022.

An Ordinance amending Section 2-172 of the Code of Ordinances to include in the imposition of the transient room tax the rent of cabins, lodgings, campsites, similar accommodations, and any other place in which accommodations are regularly furnished to transients for consideration, or by any person that facilitates the rental of the accommodations; establishing that rentals supplied for a continuous period of thirty (30) days or more shall not be subject to the transient room tax; and defining “person” and “rent”; all effective on January 1, 2023.

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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 2023 Schedule No. 21 was on the docket to receive first reading.

Upon motion by Ms. Baxter, seconded by Ms. Sheehan, and approved by unanimous vote, the ordinance was amended to include additional items related to the following: (1) establish grant budget for FEMA Building Inspection and Code Enforcement Accreditation FY 2023, (2) establish grant budget for Staffing for Adequate Fire and Emergency Response (SAFER) Grant - FY 2023 and (3) budget associated payroll recovery for the SAFER grant in the General Fund, and (4) provide \$535,989.74 from reserve in the Landfill fund for professional services, reconstruction of the bioswale, and associated improvements at the Former Jacks Creek Pike Landfill, as it was necessary to add these budget amendments to get two readings before the end of the calendar year.

The ordinance, as amended, received first reading and was ordered to be placed on file for public inspection until December 6, 2022.

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Upon motion by Mr. Moloney, seconded by Ms. Reynolds, and approved by unanimous vote, an Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to provide \$1,000,000 for the Jefferson Street Viaduct Project

and appropriating and re-appropriating funds, Schedule No. 24 received first reading and was ordered to be placed on file for public inspection until December 6, 2022.

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The following ordinances received first reading and were ordered to be placed on file for public inspection until December 6, 2022:

An Ordinance changing the zone from a Light Industrial (I-1) zone to a Commercial Center (B-6p) zone, for 10.113 net (11.692 gross) acres, for property located at 1510 Greendale Rd. and 2440 Innovation Dr. (a portion of). (Winterwood, Inc.; Council District 2.)

An Ordinance changing the zone from a Wholesale and Warehouse Business (B-4) zone to a Light Industrial (I-1) zone for 2.3827 net (2.5584 gross) acres, for property located at 101 and 109 W. Loudon Avenue. (Northyard, LLC; Council District 1).

An Ordinance changing the zone from a Two-Family Residential (R-2) zone to a High Density Apartment (R-4) zone, for 1.089 net (1.346 gross) acres, for property located at 530 East High St. (Winterwood, Inc.; Council District 3).

An Ordinance amending Articles 8-5(A), 8-9(A), 8-10(A), 8-11(A), 8-12(A), 8-13(A), 8-14(A), 8-15(A), 8-16(A), 8-17(A), 8-18(A), 8-19(A), 8-20(A), 8-21(A), 8-22(A), 8-23(A), 8-24(A), 10-1, 11-1, 22-1, 22a-1, 22b-1, 23a-5(A), 23a-6(A), 23a-7(A), 23a-8(A), 23a-9(A) and 23a-10(A) of the Zoning Ordinance to update the intent statement for various zoning categories to more clearly align with the Adopted Comprehensive Plan. (Urban County Planning Commission).

An Ordinance expanding and extending the Full Urban Services District #1 for the Urban County Government for the provision of street lighting, street cleaning, and garbage and refuse collection, to include the area defined as certain properties on the following streets: Bay Springs Park; Buttermilk Rd.; Case Way; Cattle Path; Feathersound Way; Foster Drive; Hailey Rose Way; Hollow Creek Rd.; Huntly Place; Night Heron Way; Silver Springs Dr.; Squires Circle; Squirrel Nest Lane; Stolen Horse Trace; and Tanksley Way.

An Ordinance expanding and extending Partial Urban Services District #3 for the Urban County Government for the provision of garbage and refuse collection, to include

the area defined as certain properties on the following streets: Cocos Way; Silver Springs Circle; Silver Springs Way; Waldorf Lane; and William Astor Lane.

An Ordinance expanding and extending Partial Urban Services District #5 for the Urban County Government for the provision of street lighting and garbage and refuse collection, to include the area defined as certain properties on the following streets: Lansdowne Dr.; Vicksburg Rd.; and Wedgewood Court.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$70,000 to provide funds for Council Capital Projects in the Div. of Parks and Recreation and Div. of Environmental Services and appropriating and re-appropriating funds, Schedule No. 23.

An Ordinance amending Section 22-52.1 of the Lexington-Fayette Urban County Government Code of Ordinances, related to Constables, establishing the amount of the bond to be provided by Constables and Deputy Constables; providing that Constables may not appoint Deputy Constables unless authorized to do so by the Mayor and subject to any standards established by the Mayor; requiring the timely filing of the monthly activity report required by KRS 70.430; prohibiting Constables and Deputy Constables from equipping vehicles with certain emergency equipment and establishing a penalty for violation; and amending Section 22-55.1 of the Code of Ordinances, related to local Constitutional Officers, to increase the amount of the bond that must be provided by a Constable to \$25,000; all effective January 1, 2023.

An Ordinance amending and restating Ordinance No. 51-2017, which created the Public Infrastructure Program, in its entirety, and providing for its purpose, program fund protections, priorities, limitations, criteria, an application process, administration by the Mayor's Chief Development Officer with oversight by the Economic Development Investment Board, and a Program Fund; all effective upon date of passage.

An Ordinance amending Ordinance No. 203-80, as previously amended, relating to the Economic Development Investment Board, to include oversight over the Lexington Public Infrastructure Program, with final approval of funding to be made by the Urban County Council.

An Ordinance amending the authorized strength by abolishing one (1) vacant unclassified position of Engineering Technician, Grade 515N, and restoring funding for

one (1) classified position of Municipal Engineer Sr., Grade 528E, all in the Div. of Engineering, effective upon passage of Council.

An Ordinance providing that all full-time and part-time employees included in the unified pay plan shall receive a three percent (3.0%) pay increase; providing that sections 21-29(b) and 22-26(b) notwithstanding, all employees at or above the maximum of the grade salary range shall receive a three percent (3%) pay increase; amending Section 23-32(d) of the Code of Ordinances increasing the existing step structure for the positions of Police Chief, Grade 324E, and Fire Chief, Grade 324E, by three percent (3%) and adjusting the salaries accordingly; and increasing the salary by three percent (3%) for three (3) positions of Law Clerk - P/T, within the Dept. of Law; one (1) position of Council Administrator within the Office of the Urban County Council; and one (1) position of Park Patrol Coordinator - P/T, within the Div. of Parks and Recreation, all to become effective on January 2, 2023.

An Ordinance providing a one-time supplement payment for full-time non-bargaining employees included in the unified pay plan, including the Council Administrator, as follows: a one thousand dollar (\$1,000) payment for eligible employees making seventy-five thousand dollars (\$75,000) or less per year; a seven hundred and fifty dollar (\$750) payment for eligible employees making more than seventy five thousand dollars (\$75,000) but less than or equal to one hundred thousand dollars (\$100,000) per year; a five hundred dollar (\$500) payment for eligible employees making more than one hundred thousand dollars (\$100,000) but less than or equal to one hundred and twenty five thousand dollars (\$125,000) per year; and a two hundred and fifty dollar (\$250) payment to eligible employees making more than one hundred and twenty five thousand dollars (\$125,000) per year, effective upon passage of Council.

An Ordinance amending Section 2-3.2 in Chapter 2 of the Code of Ordinances of the Lexington-Fayette Urban County Government to establish procedures and guidelines for redistricting Council Districts.

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A Resolution accepting two separate Memorandums of Agreement between the Lexington Fayette Urban County Government and Bluegrass Fraternal Order of Police,

Lodge No. 4, on behalf of both Officers and Sergeants, and Lieutenants, in the Div. of Police, to increase base pay and address retention issues received second reading.

Upon motion by Mr. McCurn, and seconded by Ms. Plomin, the resolution was approved by the following vote:

Aye: Lamb, LeGris, McCurn, Moloney, Plomin, -----13
Reynolds, Sheehan, Worley, Baxter, F.
Brown, J. Brown, Ellinger, Kay

Nay: Kloiber -----1

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the U.S. Dept. of Justice to accept a Grant of \$6,363 in Federal funds under the Bureau of Justice Assistance FY 2021 State Criminal Alien Assistance Program (SCAAP), for reimbursement of costs related to the incarceration of undocumented criminal aliens, the acceptance of which does not obligate the Urban County Government to the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget received second reading.

Upon motion by Mr. McCurn, and seconded by Ms. Plomin, the resolution was approved by the following vote:

Aye: Kloiber, Lamb, LeGris, McCurn, Moloney, -----13
Plomin, Sheehan, Worley, Baxter, F.
Brown, J. Brown, Ellinger, Kay,

Nay: Reynolds -----1

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The following resolutions received second reading. Upon motion by Mr. McCurn, and seconded by Ms. Plomin, the resolutions were approved by the following vote:

Aye: Kloiber, Lamb, LeGris, McCurn, Moloney, -----14
Plomin, Reynolds, Sheehan, Worley,
Baxter, F. Brown, J. Brown, Ellinger, Kay

Nay: -----0

A Resolution accepting the bid of Connhurst, LLC, in the amount of \$8,147,353, for West Hickman E Trunk Sewer Project, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Connhurst, LLC, related to the bid.

A Resolution ratifying the Permanent Classified Civil Service Appointments of: Marcus Jackson, Resource Recovery Operator, Grade 515N, \$20.213 hourly in the Div. of Waste Management, effective November 9, 2022, Clarence Miller, Resource Recovery Operator, Grade 515N, \$20.213 hourly in the Div. of Waste Management, effective November 9, 2022, Fred Haar, Administrative Specialist Sr., Grade 518N, \$23.399 hourly in the Div. of Environmental Services, effective November 9, 2022, Joshua Roberts, Administrative Specialist Principal, Grade 518E, \$1,901.68 biweekly in the Div. of Police, effective September 28, 2022.

A Resolution of the Urban County Council acknowledging the receipt of the report of the Goal 4 Work Group and recommending that the Planning Commission further review, with public input, the report in development of the 2023 Comprehensive Plan.

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 from owners of record, for property interests needed for the Sutherland Trunk Sanitary Sewer Project, a Remedial Measures Project required by the Consent Decree, at a cost not to exceed \$500.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with the Lyric Theatre for the operation of the Lyric Theatre, at a cost not to exceed \$127,500.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the Ky. Solar Energy Society, Inc., for professional services related to the Solarize Lexington Program, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an invoice and any other related documents with Routeware, Inc., a sole source provider, for the Div. of Water Quality to purchase ongoing hardware and database maintenance services for the GPS Program on the Div.'s fleet, at a cost not to exceed \$46,064.64 in FY 2023.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute the 2023 General Term Orders for the Fayette County Clerk and the Fayette County sheriff, establishing the number of deputies and assistants allowed to each and

their respective compensation, subject to the limits for each category as specified in the General Term Orders and the requirements established by law.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement (awarded pursuant to RFP 42-2022) with Tetra Tech, Inc., to perform a Leachate Management Alternatives Analysis and Engineering Study at the Haley Pike Landfill, for the Div. of Environmental Services, at a cost not to exceed \$77,700.

A Resolution authorizing the Div. of Police to purchase replacement storage solution for increased computer storage from 45Drives, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with 45Drives, related to the procurement, at a cost not to exceed \$70,950.

A Resolution changing the property street name of 519-531 Laketower Dr. to 531 Laketower Dr., 142-144 North Broadway to 144 North Broadway, 347-349 Southland Dr. Unit 1 to 347 Southland Dr., 347-349 Southland Dr. Unit 2 to 349 Southland Dr., 1954 Stanton Way to 1950 Stanton Way and changing the street name and property address number of 970 West New Circle Rd. to 1196 Finney Dr., 980 West New Circle Rd. to 1192 Finney Dr., 990-992 West New Circle Rd. to 1188 Finney Dr., 996 West New Circle Rd. to 1184 Finney Dr., 1000 West New Circle Rd. to 1180 Finney Dr., 1004 West New Circle Rd. to 1172 Finney Dr., 1008 West New Circle Rd. to 1156 Finney Dr., 1010 West New Circle Rd. to 1160 Finney Dr., 1040 West New Circle Rd. to 1164 Finney Dr., all effective thirty (30) days from passage.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement (awarded pursuant to RFP 50-2022) with New Life Day Center, Inc., to perform Litter Pickup Service with Panhandler Participation, for the Div. of Environmental Services, at a cost not to exceed \$150,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a License Agreement with the Lexington Center Corporation to host the annual Kiddie Kapers Spring Recital at the Lexington Opera House, at a cost not to exceed \$9,100.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an amendment to an Agreement with the Ky. Emergency Management Agency, to incorporate an increase of \$15,000 from Federal funds and \$2,400 from State funds, for the Lexington Fayette Animal Care and Control facility, the acceptance of which obligates the Urban County Government to an increase of \$2,600 for the local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Dept. of Military Affairs, Div. of Emergency Management, to accept an award of \$215,304 in Federal funds, provided under the Federal Emergency Management Agency's Hazard Mitigation Program, and \$34,448 in Commonwealth of Ky. funds, for the overhaul of electrical infrastructure at maintenance and dispatch facilities for the Div. of Streets and Roads, the acceptance of which obligates the Urban County Government to the expenditure of \$37,320 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the first renewal Agreement with the Ky. Association for Environmental Education (KAEE) to provide Environmental Education Services in FY 2023, at a cost not to exceed \$276,855.76.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Ky. River Watershed Watch, Inc., to coordinate volunteers for water quality monitoring in the Wolf Run Watershed, at a cost not to exceed \$5,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept an additional award of \$139,687.74 in Federal funds under the American Rescue Plan Act (ARPA) from the Ky. Cabinet for Health and Family Services, Dept. for Community Based Services, in order to support child care expenses in the Extended School Program at the Div. of Parks and Recreation, the acceptance of which does not obligate the Urban County Government to the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application requesting \$825,000 in Federal funds from the Federal Emergency Management Agency, under the Building Resilient Infrastructure and Communities (BRIC) Grant Program, for the Joyland Area Stormwater Improvements - Phase 2, to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, the acceptance of which obligates the Urban County Government to the expenditure of \$275,000 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept an award of \$107,184.03 in Federal funds from the Ky. Dept. of Military Affairs, Div. of Emergency Management, for reimbursement of expenses related to the Western Ky. Tornado, the acceptance of which does not obligate the Urban County Government to the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 5 to the Agreement with ALL4, LLC, for the audit of the Waste Water Treatment Plant Safety Program and Post Audit Implementation Services Project, increasing the Contract price by the sum of \$337,000.00, from \$1,318,750.25 to \$1,655,750.25.

A Resolution pursuant to Section 1.102 of the Council rules, reappointing the following core staff members: Stacey Maynard, Council Administrator, Grade Z80; Kendra Thompson, Research Analyst, Grade 523; Jennifer Sutton, Research Analyst, Grade 523; and Kelley Farley, Budget Analyst, Grade 521, said term of reappointment for each core staff member to end on December 31, 2026 unless it is extended by majority vote of the Urban County Council; and providing that all core staff shall continue to accrue benefits as if there was no break in service.

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Upon motion by Mr. McCurn, seconded by Mr. F. Brown, and approved by unanimous vote, A Resolution accepting a Memorandum of Agreement between the Lexington-Fayette Urban County Government and the American Federation of State,

County & Municipal Employees, Local 2785, representing the Corrections Lieutenants and Captains, in the Div. of Community Corrections, to increase base pay and address retention issues received first reading.

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The following resolutions received first reading and were ordered to be placed on file for public inspection until December 6, 2022:

A Resolution adopting a Complete Streets Policy to provide an equitable, balanced, safe and efficient transportation system that supports a sustainable and healthy community, and further authorizing the Urban County Government to develop and implement procedures consistent with this policy.

A Resolution ratifying the Permanent Classified Civil Service Appointments of: Charles Sayre, Engineering Technician, Grade 515N, \$21.000 hourly in the Div. of Engineering, effective December 13, 2022, Michael Cravens, Managing Attorney, Grade 534E, \$4,151.12 biweekly in the Dept. of Law, effective November 9, 2022, Evan Thompson, Attorney Sr., Grade 530E, \$3,361.65 biweekly in the Dept. of Law, effective November 9, 2022, Norman Sinclair, Public Service Manager, Grade 522E, \$2,301.92 biweekly in the Div. of Parks and Recreation, effective November 9, 2022.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with the Fayette County Board of Education for space to host the Extended School Programs and the Recreational Enrichment and Learning Programs for the 2022-2023 school year, at a cost not to exceed \$58,500.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with James R. Kemper for property located at 951 Enterprise Dr. for Div. of Water Quality maintenance operations, for an initial term of 36 months with annual rent not to exceed \$93,262.44 in FY 2023 and subsequent increases of two percent (2.00%) annually thereafter.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a First Amendment to American Rescue Act of 2021 Subrecipient Agreement with Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas Counties, Inc., for the operation of Expanded Intensive Street Outreach Services, at a cost not to exceed \$449,162.55.

A Resolution authorizing and directing the Mayor, or her designee, on behalf of the Urban County Government, to execute a Letter of Intent with ETJ Holdings Incorporated, for the purchase of 5.58 acres of the Coldstream Research Campus, for the amount of \$1,155,000, and authorizing the Mayor to execute a purchase and Sale Agreement that materially complies with the Letter of Intent, as well as all other necessary and related documents, and authorizing other necessary actions related to the transfer of property.

A Resolution rescinding Resolution No. 566-2022 and in its place, resolving to authorize the Mayor, on behalf of the Urban County Government, to execute an Agreement with Community Action Council for Lexington-Fayette, Bourbon, Harrison and Nicholas Counties, Inc., to serve as Grants Administrator and/or fiscal agent for the ONE Lexington Gun Violence Prevention Grant Program for FY2023, at a total cost not to exceed \$100,000.

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.

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.

A Resolution authorizing the Div. of Police to purchase Automatic License Plate Reader Program from Flock Group Inc., a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Flock Group Inc., related to the procurement, at a cost not to exceed \$236,250.

A Resolution authorizing and directing the Mayor to execute a Memorandum of Understanding with CASA of Lexington, Inc., Fayette County Family Courts and the Fayette County Attorney's Office, for the provision of statutorily required services for children who enter the Fayette Court System as a result of dependency, neglect and/or abuse.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a lease Agreement with FRM Lawson LLC for property located at 900 Enterprise Dr. for Div. of Water Quality Maintenance Operations, for an initial term of 48 months with annual rent not to exceed \$201,286.08.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a License Agreement with Transylvania University to host the annual Kiddie Kapers Holiday Show at the Haggin Auditorium, at a cost not to exceed \$1,300.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the first Amendment to Agreements with Commerce Lexington, Inc., reallocating \$142,000 from the Accelerate Lexington Program (created pursuant to Resolution No. 708-2021) to further fund the Regional Economic Development Collective (created pursuant to Resolution No. 43-2022), at no additional cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Extension of Agreement with University of Ky. Research Foundation, in order to extend the period of performance for Year 4 of the First Responders and Community Partners Overdose Prevention Project Grant to December 30, 2022.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an extension of Agreement with Lexington-Fayette County Health Dept. in order to extend the period of performance for Year 4 of the First Responders and Community Partners Overdose Prevention Project Grant to December 30, 2022.

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 One of the Expanded First Responders and Community Partners Overdose Prevention Project, at a cost not to exceed \$99,997.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. Five (5) to the Agreement with CDP Engineers, Inc., for additional design services of the Town Branch Trail Phase III Project, increasing the contract price by the sum of \$86,000 for a new contract total of \$223,880.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two (2) to the Agreement with Gresham

Smith for design services for Splash! at Charles Young Park, increasing the contract price by \$12,300 and raising the total contract price from \$182,000 to \$194,300.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two (2) to the Agreement with Pace Contracting for the Splash! at Charles Young Park Construction Project, increasing the contract price by \$49,447.95 and raising the total contract price from \$1,411,863.18 to \$1,461,311.13.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant application to the Ky. Office of Homeland Security, and to provide any additional information requested in connection with this Grant Application, which seeks up to \$387,094 in federal funds from the Law Enforcement Protection Program to purchase body armor kits for all sworn officers.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. Three (3) to the Professional Services Agreement with CDP Engineers, Inc., for services related to the Clays Mill Rd. Section 1 Improvements, increasing the contract price by the sum of \$26,542 for a new contract total of \$884,001.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with HDR Engineering, Inc. for design of Citation Boulevard Phase III-B, pending approval by the Ky. Transportation Cabinet (KYTC) - Letter Agreement (No. 3), at a cost not to exceed \$249,802.

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, 2023 through December 31, 2023.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement (RFQ No. 37-2022), to be paid with funds awarded under the American Rescue Plan Act of 2021 (ARPA), with Strand Associates, Inc., for design engineering services for the Brighton Trail Connection, at a cost not to exceed \$103,652, and further authorizing the Mayor to execute any other necessary amendments, addenda, or other documents related to these funds.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a modification to an Agreement with the Lexington Children's Museum, d/b/a Explorium of Lexington, to amend the Budget and extend the period of performance through July 15, 2023.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a direct re-allocation of Federal Emergency Rental Assistance Grant funds from the U.S. Treasury, in an amount not to exceed \$30 million, and further authorizing the Mayor to execute any necessary Subrecipient Agreement(s) and/or amendments thereto, with Community Action Council ("CAC") and Legal Aid of the Bluegrass, as needed for the continued operation of the Housing Stabilization Program.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute two (2) Agreements with Saint Joseph Health System, Inc., for the use of space in Saint Joseph Health System's Emergency Room as a clinical practice area for the Sexual Assault Nurse Examiner (SANE) program in FY 2023, at a cost not to exceed \$3,000, and for the storage of forensic evidence examples collected in conjunction with the sane program.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Tyler Technologies, for mobile client software, at a cost not to exceed \$38,420.

A Resolution amending the following Sections of Appendix A, Rules and Procedures of the Lexington-Fayette Urban County Council: Section 1.102 to update the initial term of appointment for certain Council Office staff; Section 3.103 to update the time and manner of introduction; Section 4.103 to remove a redundant clause; and Section 4.104 to update the Order of Business; and creating Part Seven (7) of the Rules to formally adopt the Council Capital Project Expenditure Policy, effective upon passage of Council.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements related to Neighborhood Development Funds with Bluegrass Families First, Inc. (\$500), Meadowthorpe Elementary PTA Inc. (\$500), the Woodward-Lander Homeowner's Association, Inc. (\$500), Carnegie Literacy Center, Inc. (\$700), I Was Here Inc. (\$700), Chevy Chase Business Owners Association Corporation

(\$1,000), and United Way of the Bluegrass, Inc. (\$1,150), for the Office of the Urban County Council, at a cost not to exceed the sums stated; and authorizing approved Neighborhood Development Fund allocations to the Div. of Parks and Recreation (\$300 and \$728), pending completion and approval of any necessary Budget amendments.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to two Agreements with Commerce Lexington, Inc., reallocating \$36,860 from one Agreement (authorized by Resolution No. 235-2021 and amended pursuant to Resolution No. 402-2021) related to the LFUCG Small Business Economic Recovery Program to provide additional funding for minority business development services contained within the other Agreement (authorized by Resolution No. 402-2022), at no additional cost to the Urban County Government.

A Resolution specifying the intention of the Urban County Council to expand and extend the Full Urban Services District #1 to provide street lighting, street cleaning, and garbage and refuse collection; finding a need for this service in the area included; and finding the ability of the Urban County Government to provide this service in this area, which area is defined as certain properties on the following streets: Armature Court, Ash Rapids, Bay Springs Park, Beaumont Centre Circle, Bryant Rd., Cattle Path, Cordele Ln., Cravat Pass, Crocus Court, Danby Woods Dr., Elizabeth Street, Estrella Dr., Greendale Rd., Harrington Court, Harrodsburg Rd., Hemp Hill Drive, Industry Rd., Innovation Dr., Larch Tree Park, Leestown Rd., Liberty Rd., Loblolly Court, Mable Ln., Madison Point Dr., Magnolia Springs Dr., Malone Dr., Marbella Ln., Mill Ridge Rd., Mooncoin Way, Mulundy Way, Newtown Court, Newtown Springs Dr., Nicholasville Rd., Old House Rd., Old Mt Tabor Rd., Old Rosebud Rd., Old Schoolhouse Ln., Parker Meadows, Peaks Mill Dr., Real Quiet Ln., Rosette Way, Roundway Down Ln., Russell Cave Rd., Rutledge Ave., Sandersville Rd., Silver Charm Ln., Sorrell Way, Spurr Rd., St Andrews Walk, Stolen Horse Trace, Strasburg Park, Sullivans Trace, Sundollar Cove, Tracery Oaks Dr., Vincent Way, Waveland Museum Ln., Wilson Downing Rd., and Winning Colors Ln.

A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #3 to provide garbage and refuse collection; finding a need for this service in the area included; and finding the ability of the Urban County Government to provide this service in this area, which area is defined as certain properties

on the following streets: Bobwhite Trail, Branham Park, Browning Trace, Burning Tree Circle, Castlebridge Ln., Crusaders Way, Dudee Court, Flying Ebony Dr., Glasford Square, Goldon Trophy Trail, Grassland Park, Griffin Gate Dr., Harmony Hall Ln., Kelburn Court, Knightsbridge Ln., Laredo Court, Liberty Rd., Lorenzo Place, Patchen Lake Ln., Ryan Circle, Somersly Place, Tatton Park, Walkers Way, and Wentworth Place.

A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #4 to provide street lighting; finding a need for this service in the area included; and finding the ability of the Urban County Government to provide this service in this area, which area is defined as certain properties on the following streets: Betty Hope Ln., Crescent Ave., Glade Ln., and Maura Trace.

A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #5 to provide street lighting and garbage and refuse collection; finding a need for this service in the area included; and finding the ability of the Urban County Government to provide this service in this area, which area is defined as certain properties on the following streets: Audubon Avenue, Blue Bonnet Court, Blue Bonnet Drive, Bracktown Rd., Bradley Ln., Dantzler Court, Floral Park, Forest Park Rd., Literary Circle, Potomac Dr., State St., University Ave., and Waterview Court.

A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #6 to provide street lighting and street cleaning; finding a need for this service in the area included; and finding the ability of the Urban County Government to provide this service in this area, which area is defined as certain properties on the following streets: Agape Dr. and Palomar Trace Dr.

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Upon motion by Ms. Plomin, and seconded by Ms. Baxter, the Communications from the Mayor (Price Contracts) were approved by unanimous vote and were as follows: (1) Accepting and approving the following bids and establishing price contracts for the following Departments or Divisions as to the specifications and amount set forth in the terms of the respective bids: (a) Div. of Fleet Services - Hydraulic Hose Fittings 142-2022 - IB Moore Company, LLC; (b) Div. of Fleet Services - Heavy Duty Auto Parts Supplemental 118-2022 - Worldwide Equipment, Cummins, Inc. and Capital Filtrations, Inc.; (c) Div. of Fleet Services - Rear Loader Style Trash Compactors 137-2022

Worldwide Equipment; (d) Div. of Fleet Services - Vehicle Undercoating & Rustproofing 135-2022 - Bluegrass International Trucks, Buses, RV's & Idealease and Wildcat Window Tinting; and, (e) Div. of Family Services - Catering Services for Family Care Center 138-2022 Bateman Community Living an Elio Company (TRIO Community Meals, LLC).

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The following Communications from the Mayor were received for information only:

(1) Probationary Classified Civil Service Appointment of Justin Talbert, Customer Account Specialist, Grade 512N, \$18.298 hourly in the Div. of LexCall, effective November 21, 2022; (2) Probationary Classified Civil Service Appointment of Cathy Rawlings, Customer Service Specialist, Grade 511N, \$18.416 hourly in the Div. of LexCall, effective December 5, 2022; (3) Probationary Classified Civil Service Appointment of Jessica Denham, Customer Service Specialist, Grade 511N, \$17.138 hourly in the Div. of LexCall, effective December 5, 2022; (4) Probationary Classified Civil Service Appointment of Jessica Cavezza, Customer Service Specialist, Grade 511N, \$16.726 hourly in the Div. of LexCall, effective December 5, 2022; (5) Probationary Classified Civil Service Appointment of Ashley Isom, Accountant, Grade 518N, \$24.908 hourly in the Div. of Accounting, effective December 5, 2022; (6) Probationary Classified Civil Service Appointment of Daniel Stamper, Safety Specialist, Grade 518N, \$23.380 hourly in the Div. of Streets and Roads, effective December 19, 2022; (7) Probationary Classified Civil Service Appointment of Ebone Thomas, Telecommunicator Supervisor, Grade 523N, \$31.431 hourly in the Div. of Enhanced 911, effective December 19, 2022; (8) Probationary Classified Civil Service Appointment of Christina Runk, Telecommunicator, Grade 517N, \$22.524 hourly in the Div. of Enhanced 911, effective December 5, 2022; (9) Probationary Classified Civil Service Appointment of Jeffery Nalley, Project Manager, Grade 520N, \$25.781 hourly in the Div. of Parks and Recreation, effective December 5, 2022; (10) Probationary Community Corrections Officer Appointment of MaShayla Acton, Community Corrections Officer, Grade 110N, \$20.000 hourly in the Div. of Community Corrections, effective November 7, 2022; (11) Sworn Probationary Appointment of Christopher Sizemore, Police Lieutenant, Grade 317E, \$4,001.91 biweekly in the Div. of Police, effective January 2, 2023; (12) Sworn Probationary Appointment of Wayne White, Police Sergeant, Grade 315N, \$36.644 hourly in the Div. of Police, effective January 2,

2023; (13) Unclassified Civil Service Appointment of Donald Randolph, Treatment Plant Operator Apprentice II, Grade 512N, \$19.005 hourly in the Div. of Water Quality, effective October 31, 2022; (14) Unclassified Civil Service Appointment of Joann Turner, Program Supervisor P/T, Grade 508N, \$15.575 hourly in the Div. of Aging Services, effective December 5, 2022; (15) Classified Civil Service Lateral Transfer of Eddie Martin, Public Service Worker Sr., Grade 510N, \$16.209 hourly in the Div. of Water Quality, effective December 5, 2022; (16) Classified Civil Service Lateral Transfer of Ban Hasan, Staff Assistant, Grade 509N, \$17.397 hourly in the Div. of Revenue, effective December 19, 2022; (17) Unclassified Civil Service Appointment to the Office of the Urban County Council of Shaun Denney, Aide to Council, Grade 518E, \$2,784.64 biweekly in the Office of the Urban County Council, effective November 28, 2022; and, (18) Classified Civil Service Temporary Appointment of Tommy Carter, Public Service Supervisor, Grade 514N, \$19.236 hourly in the Div. of Water Quality, effective October 24, 2022.

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Mayor Gorton announced that Kentucky Utilities salvaged the Christmas tree that had been damaged by high winds, and was back on display.

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Mr. Moloney extended his gratitude for those who have supported him during his time serving on the Council, including God, his wife, voters, his Council Aides Paula King and Marian Zeitlin, Council Administrator Stacey Maynard and her staff members, Kendra, Jennifer and Kelley, Citizen Advocate Amber Deitz, Div. of Budgeting Dir. Melissa Lueker, Chief Administrative Officer Sally Hamilton, Executive Assistant to the Mayor Maureen Watson and Lexington-Fayette Urban County Government employees. He expressed pride in the City's employees, thanking the first responders and officers across the Dept. of Public Safety, the Div. of Fire and Emergency Services, the Div. of Police and the Div. of Community Corrections, before wishing everyone a Merry Christmas and a Happy New Year.

Mayor Gorton thanked Mr. Moloney for his many years of service and stated the Council would not be the same without him.

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Mr. Worley spoke of his friendship with Mr. Moloney and praised Mr. Moloney for his advocacy for the low-income residents and city employees throughout the prior three decades.

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Ms. Lamb spoke about serving alongside Mr. Moloney and commended his commitment to the Lexington community and city employees.

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Mr. McCurn shared a personal anecdote and thanked Mr. Moloney for his mentorship and friendship.

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At 7:19 p.m., Mr. Worley departed the meeting.

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Rob Wilson, Div. of Fleet Services, spoke about the 3% across-the-board raise and one-time-supplement ordinances on the docket, and requested the city implement a merit-based compensation system.

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Garrett Ogden, Div. of Fleet Services, spoke about competitive wages, and requested the city implement a merit-based compensation system on a trial basis.

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Dottie Bean, Council District 8, requested a public hearing pertaining to the resolution accepting a direct re-allocation of Federal Emergency Rental Assistance Grant funds from the U.S. Treasury, in an amount not to exceed \$30 million, and further authorizing the Mayor to execute any necessary Subrecipient Agreement(s) and/or amendments thereto, with Community Action Council (“CAC”) and Legal Aid of the Bluegrass, as needed for the continued operation of the Housing Stabilization Program

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Nicholas Clouse, Div. of Fleet Services, spoke in support of a STEPS program for employees.

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Raymond Sexton, Lexington-Fayette Human Rights Commission Executive Director, and Tami Reed, Lexington-Fayette Human Rights Commission Senior Office

Manager, presented a resolution on behalf of the Commission to Ms. Lamb, recognizing her dedication to serving Lexington residents.

Ms. Lamb thanked the Commission for the recognition and expressed gratitude for being able to connect with so many people throughout the community.

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James Woodhead, Council District 10, spoke about public safety funding, and shared concerns regarding the FLOCK camera program.

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Kristen Pack, Council District 1, spoke about the FLOCK camera program and the need for more data prior the decision to expand the program.

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Arnold Farr, Council District 3, spoke about the FLOCK camera program and the need for more data prior the decision to expand the program.

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Jess Bowman, Council District 9, spoke about public safety funding, and shared concerns regarding the FLOCK camera program.

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Tayna Fogle, Council District 1, emphasized the community's support of the Lexington Police Department and Dept. of Public Safety before sharing concerns regarding the FLOCK camera program.

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Upon motion by Mr. Moloney, seconded by Susan Lamb, and approved by majority vote (Mr. Worley and Mr. Kloiber were absent), the meeting adjourned at 7:57 p.m.

Deputy Clerk of the Urban County Council