Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

Tuesday, December 6, 2022

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

Urban County Council
Schedule of Meetings
December 5 – December 12, 2022

Monday, December 5
No Meetings

Tuesday, December 6
Pavement Management Subcommittee……..10:00 am
Conference Room – 5th Floor Government Center

Planning and 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……..5:00 pm
Council Chamber – 2nd Floor Government Center

Council Winter Recess Begins (regular meetings resume January 17, 2023)

Wednesday, December 7
No Meetings

Thursday, December 8
No Meetings

Friday, December 9
No Meetings

Monday, December 12
No Meetings

Lexington-Fayette Urban County Council
Work Session Agenda
December 6, 2022

I. Public Comment - Issues on Agenda

II. Requested Rezonings/ Docket Approval – Yes

III. Approval of Summary – Yes, p. 1-4

- **a** Table of Motions: Council Work Session, November 29, 2022

IV. Budget Amendments – No

V. Budget Adjustments - For Information Only – Yes, p. 5

VI. New Business – Yes, p. 6-27

VII. Continuing Business/ Presentations

- **a** Neighborhood Development Funds: December 6, 2022, p. 28-29
- **b** Council Capital Projects: December 6, 2022, p. 30
- **c** Summary: Planning and Public Safety Committee, October 18, 2022, p. 31-34
- **d** Summary: Special Planning and Public Safety Committee, November 29, 2022, p. 35-36

VIII. Council Reports

IX. Mayor's Report – Yes

X. Mayor's Report - Price Contract Bid Recommendations – Yes, p. 37

XI. Public Comment - Issues Not on Agenda

XII. Adjournment

Administrative Synopsis - New Business Items

a	**1197-22**	Authorization to enter into an agreement with JP Morgan for merchant services and electronic payment bill presentment and payment services to expand credit card and online payment options for the Lexington-Fayette Urban County Government, at a cost of $19,409.60. Funds are budgeted. (L1197-22)(Holbrook/Hensley) p. 6
b	**1220-22**	Authorization to enter into a Release of Claims agreement to release retired Canine Bodhi to Detective Kelly Shortridge. No budgetary impact. (L1220-22) (Weathers/Armstrong) p. 7
c	**1221-22**	Authorization to execute a Cell Tower Lease Agreement with Cellco Partnership d/b/a Verizon Wireless for a designated site located at Deer Haven Park (LV Cove # 474230). Total rental revenue for year one (1) is $30,000. (L1221-22) (Ford) p. 8
d	**1222-22**	Authorization to execute a Purchase of Service Agreement with The Walker Collaborative, Inc. for a study of the Lexington-Fayette Urban County Government's planning and development approval processes at a cost of $135,000. Funds are budgeted. (L1222-22) (Atkins) p. 9
e	**1224-22**	Authorization to accept a Memorandum of Understanding (MOU) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), for the ATF and Lexington Police Department Violent Crimes Task Force to investigate persons who violate Federal firearms and explosives laws as well as persons who use, carry or possess firearms or destructive devices in furtherance of a drug trafficking crime or a crime of violence. No budgetary impact. (L1224-22) (Weathers/Armstrong) p. 10
f	**1225-22**	Authorization to execute a Letter of Agreement with the United States Department of the Army, amending Easement No. DACA27-2-97-007 located at the Lexington Armed Forces Reserve Center, 2250 Leestown Road, for an Easement Renewal at a cost not to exceed $4,000. Funds are budgeted. (L1225-22) (Martin/Albright) p. 11-12
g	**1231-22**	Authorization to create twenty-one (21) sworn positions of Firefighter (Grade 311N) in the Division of Fire and Emergency Services, effective upon passage of Council. The Division of Fire and Emergency Services is requesting this increase to their authorized strength as a result of LFUCG's acceptance of the SAFER grant. This has a future impact annual cost of $79,793.00 per firefighter and will be grant funded for three years. (L1231-22) (Walters/Hamilton) p. 13
h	**1237-22**	Authorization to enter into Professional Services Agreements with each crisis response mediator selected in FY 2023 in order to implement the One Lexington neighborhood crisis response model, with each agreement not to exceed $2,000. Funds are budgeted. (L1237-22) (Carama/Scott) p. 14
i	**1246-22**	Authorization to approve a professional engineering services agreement with GRW, pursuant to RFP No. 60-2022, for the South Elkhorn Pump Station Odor Control Upgrade evaluation at a cost of $72,330.00 in FY 2023. Funds are budgeted. (L1246-22) (Martin/Albright) p. 15-17

j	**1247-22**	Authorization to execute an agreement with the Lexington-Fayette County Health Department in the amount of $237,500 for the Expanded First Responders and Community Partners Overdose Prevention Project (EFRCPOPP) funded under the U.S. Department of Health and Human Services First Responders - Comprehensive Addiction and Recovery Support Service Grant (FR-CARA). Funds are budgeted. (L1247-22) (Allen-Bryant) p. 18
k	**1249-22**	Authorization to execute an agreement in the amount of $44,927 with the University of Kentucky Research Foundation (UKRF) for the provision of evaluation services for the Barrier Free Re-Entry and Recovery Initiative (BFREE) under the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Service Administration from the Consolidated Appropriations Act, 2022. Funds are budgeted. (L1249-22) (Allen-Bryant) p. 19
l	**1250-22**	Authorization to create one (1) classified position of Chief Plant Operations Manager (Grade 527E) in the Division of Water Quality, effective upon passage of Council. This has a 12-month future impact of a cost of $116,611.78 and funds are budgeted. (L1250-22) (Walters/Hamilton) p. 20-21
m	**1251-22**	Authorization to execute a Kentucky Child and Adult Care Food Program catering contract with Bateman Community Living, an Elior Company dba TRIO Community Meals, LLC, for catering services for breakfast, lunch and supplemental snack for the Family Care Center for the period of November 21, 2022, through September 30, 2023, at a cost not to exceed $174,331.60. Funds are budgeted. (L1251-22) (Horton-Holt/Allen-Bryant) p. 22
n	**1252-22**	Authorization to approve and adopt a substantial amendment to the 2017, 2019, and 2020 Annual Action Plans and reallocate funding in the amount of $150,000 from several existing Community Development Block Grant projects to a new Application Fee and Deposit Assistance project, resulting in a net zero change in total CDBG funding and expense to LFUCG. (L1252-22) (Reynolds/Lanter) p. 23-24
o	**1253-22**	Authorization to execute an Assignment and Assumption Agreement, related to the Lexington-Fayette Urban County Government (LFUCG) JOBS Fund program, for Identify3D, Inc. to assign their incentive agreement to Materialise USA LLC. No budgetary impact. (L1253-22) (Atkins) p. 25
p	**1257-22**	Authorization to execute Change Order No.3, with Pace Contracting, for the Splash! at Charles Young Park construction project to include necessary changes to accommodate a new water service line and revised storm sewer tie-in, increasing the contract price by the sum of $18,737.02 from $1,461,311.13 to $1,480,048.15. Funds are budgeted. (L1257-22) (Peacher/Scott) p. 26-27

URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
November 29, 2022

Mayor Gorton called the meeting to order at 3:02pm. Councilmembers Kay, Ellinger, J. Brown, McCurn, LeGris, Lamb, Sheehan, Kloiber, Worley, F. Brown, Baxter, Bledsoe, Reynolds and Plomin were present. Councilmember Moloney was absent.

I. Public Comment – Issues on Agenda

II. Requested Rezonings/Docket Approval

Motion by Lamb to add a partial summary of the November 15, 2022 General Government and Social Services Committee meeting to continuing business/presentations. Seconded by Ellinger. Motion passed without dissent.

Motion by Ellinger to approve the December 1, 2022 council meeting docket. Seconded by Kay. Motion passed without dissent as amended.

Motion by McCurn to allocate $60,000 from council capital project funds to Environmental Services for median beautification along the Leestown Road Corridor. Seconded by Reynolds. Motion passed without dissent.

Motion by McCurn to allocate $10,000 from council capital project funds to Parks and Recreation for Trailwood Greenway Park improvements. To include a human/dog drink fountain, new water meter and installation. Seconded by LeGris. Motion passed without dissent.

Motion by McCurn to place ordinance #4 on the December 1, 2022 docket (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 a portion of 2440 Innovation Dr.) with a public hearing on Tuesday January 17 at 5pm. Seconded by Ellinger. Motion passed without dissent with one recusal. Councilmember Worley recused on the item.

Motion by LeGris to place ordinance #6 on the December 1, 2022 docket (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.) without a public hearing. Seconded by Plomin. Motion passed without dissent with one recusal. Councilmember Worley recused on the item.

Motion by J. Brown to place ordinance #5 on the December 1, 2022 docket (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.) without a public hearing. Seconded by McCurn. Motion passed without dissent.

III. Approval of Summary

Motion by Ellinger to approve the November 15, 2022 work session table of motions. Seconded by McCurn. Motion passed without dissent.

IV. Budget Amendments

Motion by Plomin to approve budget amendments. Seconded by Baxter. Motion passed without dissent as amended.

Motion by Bledsoe to amend and add additional budget amendments to the list on pages 4-6 of the Work Session Packet so that they may receive two readings before Council goes on break. These BAs will 1. Provide additional revenue for Street Sales FY 2022 grant and increase budget for equipment by recognizing a transfer of $11,121.90 from the Police Confiscated Federal Fund. 2. Reallocate fund within the Police Confiscated Federal budget and create a transfer of $11,121.90 to the Street Sales FY 2022 grant. 3. Reallocate $90,000 within Water Quality for increased cost of chemicals and services for the Town Branch Wastewater Treatment Plant. 4. Provide funds for Lexington Economic Development Fund/Workforce Development funds by accepting a $15,000 repayment. 5. Provide funds for Lexington Economic Development Fund/Regional Development funds by accepting a $142,000 repayment. 6. Provide additional funds for Community Corrections roof project by reallocating $881,564.35 from completed building repair bond projects. Seconded by Baxter. Motion passed without dissent.

V. Budget Adjustments – For Information Only

VI. New Business

Motion by Plomin to approve new business. Seconded by Baxter. Motion passed without dissent.

Motion by Kay to remove item k from new business. Seconded by Kloiber. Motion failed 4-10. Lay, LeGris, Kloiber and Reynolds voted yes. Ellinger, J. Brown, McCurn, Lamb, Sheehan, Worley, F. Brown, Baxter, Bledsoe and Plomin voted no.

Motion by Reynolds to amend and postpone item k until February 1, 2023. Seconded by LeGris. Motion failed 4-10. Lay, LeGris, Kloiber and Reynolds voted yes. Ellinger, J. Brown, McCurn, Lamb, Sheehan, Worley, F. Brown, Baxter, Bledsoe and Plomin voted no.

VII. Continuing Business/Presentations

Motion by Ellinger to Approve a 1228-22 Neighborhood Development Funds: November 29, 2022. Seconded by Plomin. Motion passed without dissent.

Bledsoe provided a summary of the October 25, 2022 Special Budget, Finance and Economic Development Committee meeting.

Motion by Bledsoe to continue to fund Commerce Lexington minority business outreach with the remaining $36,000 in funds (as approved at the October 25, 2022 Budget, Finance and Economic Development Committee meeting). Seconded by J. Brown. Motion passed without dissent.

Motion by Bledsoe to allocate the remaining $100,000 to the Commerce Lexington regional competitiveness efforts (as approved at the October 25, 2022 Budget, Finance and Economic Development Committee meeting). Seconded by Sheehan. Motion passed without dissent.

Motion by Bledsoe to approve the drafted paid family leave policy (as approved at the October 25, 2022 Budget, Finance and Economic Development Committee meeting). Seconded by Plomin. Motion passed without dissent.

Bledsoe mentioned that the motions from the fund balance discussion were previously approved and currently being processed.

There were no additional motions to report from this meeting.

Bledsoe provided a partial summary of the November 29, 2022 Budget, Finance and Economic Development Committee meeting.

Motion by Bledsoe to approve the recommendations of the tax district workgroup (as approved at the November 29, 2022 Budget, Finance and Economic Development Committee meeting). Seconded by Lamb. Motion passed without dissent.

Motion by Bledsoe to approve the administration's compensation study recommendations (as approved at the November 29, 2022 Budget, Finance and Economic Development Committee meeting). Seconded by Kay. Motion passed 12-2. Kay, Ellinger, J. Brown, McCurn, LeGris, Sheehan, Worley, F. Brown, Baxter, Bledsoe, Reynolds and Plomin voted yes. Lamb and Kloiber voted no.

There were no additional motions to report from the meeting at this time.

Lamb provided a partial summary of the November 15, 2022 General Government and Social Services Committee meeting.

Motion by Lamb to approve the recommended changes to the redistricting ordinance (as approved at the November 15, 2022 General Government and Social Services Committee meeting). Seconded by Reynolds. Motion passed without dissent.

There were no additional motions to report at this time.

VIII. Council Reports

IX. Mayor's Report

X. Mayor's Report – Price Contract Bid Recommendations

Motion by Plomin to approve the Mayor's Report - Price Contract Bid Recommendations. Seconded by Baxter. Motion passed without dissent.

XI. Public Comment – Issues Not on Agenda

XII. Adjournment

Motion by Bledsoe to adjourn at 4:32pm. Seconded by Baxter. Motion passed without dissent.

SAM, 12/1/22

BUDGET ADJUSTMENT LIST
APPROVED THE WEEK OF NOVEMBER 14, 2022 AND NOVEMBER 21, 2022

JOURNAL	137768	**DIVISION**	Aging and Disability Services	**Fund Name**	General Fund
				Fund Impact	15,917.61
					15,917.61CR
					.00

To reallocate part time salaries and associated tax and benefit accounts to match current staffing needs.

JOURNAL	137831	**DIVISION**	Council Office	**Fund Name**	General Fund
				Fund Impact	61,728.00
					61,728.00CR
					.00

To provide funds for second six month budgets for Council Districts who won re-election in the November General election.

JOURNAL	137835	**DIVISION**	Council Office	**Fund Name**	General Fund
				Fund Impact	600.00
					600.00CR
					.00

To reallocate funds in the 2nd district budget to cover expenses in operating supplies and food.

JOURNAL	137924	**DIVISION**	Grants and	**Fund Name**	US Dept of Justice
				Fund Impact	16,100.00
					16,100.00CR
					.00

To reallocate funds on Sexual Assault Nurse Examiner (SANE) Grant FY 2022 to provide funds for software and operating supplies.

JOURNAL	137733	**DIVISION**	Grants and Special Programs	**Fund Name**	US Dept of HHS
				Fund Impact	3,815.00
					3,815.00CR
					.00

To move funds from Operating Supplies and Expense to Professional Services - Other on Substance Abuse and Mental Health Services Administration FY 2023.

BUDGET ADJUSTMENT SUMMARY

1101	General Services District Fund	.00
3140	US Department of Justice	.00
3190	US Department of Health & Human Services	.00

MAYOR LINDA GORTON

LEXINGTON

WESLEY HOLBROOK
DIRECTOR
REVENUE

TO: Mayor Linda Gorton
Members, Urban County Council

FROM: Wesley Holbrook, Director of Revenue

DATE: November 14, 2022

SUBJECT: Resolution to authorize execute an agreement with JP Morgan-Chase for merchant services and electronic bill presentment and payment.

Request

Authorization to enter into an agreement with JP Morgan for merchant services and electronic payment bill presentment and payment services to expand credit card and online payment options for the Lexington-Fayette Urban County Government.

Why are you requesting?

Most payments LFUCG receives are in the form of cash or check. This is limiting for many payers who are attempting to pay taxes or fees to the government. LFUCG issued an RFP to receive bids for merchant card processing and electronic bill presentment and payment services. These two services will allow LFUCG to expand its payment options in-person and online for multiple payments across government. JP Morgan was the selected bidder.

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

The cost for this FY is: 19,409.60

The cost for future FY is: 19,409.60

Are the funds budgeted?

The funds are budgeted

Account number: 1101-202101-0001-78101

File Number: 1197-22

Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Linda Gorton
Mayor

Kenneth Armstrong
Commissioner

TO: Mayor Linda Gorton
Urban County Council

Lawrence B. Weathers

FROM: Chief Lawrence B. Weathers
Lexington Police Department

CC: Commissioner Kenneth Armstrong
Department of Public Safety

DATE: November 16, 2022

SUBJECT: **Release of Claims Agreement – Retired Police Canine Bodhi**

Request
Authorization to enter into a Release of Claims Against the Lexington-Fayette Urban County Government (LFUCG) Agreement. This agreement will allow the Lexington Police Department to release retired **Canine Bodhi to Detective Kelly Shortridge.**

Why are you requesting?
The attached agreement will release and forever discharge the LFUCG, and its agents and successors, of and from any all manner of actions, claims and demands whatsoever arising out of the gift of the retired police canine. In return, Detective Shortridge acknowledges that this agreement will preclude him from utilizing the retired police canine in an "off-duty" employment assignment for security or law enforcement purposes, and is prohibited to sell or transfer the retired police canine to another public safety entity. We are requesting Council approval for Mayor Gorton to sign the attached agreement. There will be no budgetary impact. Upon approval and signing, please forward a copy of the signed agreement to the Chief's Office for our records.

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

The cost for this FY is: N/A

The cost for future FY is: N/A

Are the funds budgeted?
There will be no budgetary impact.

File Number: - 1220-22

Director/Commissioner: **Lawrence B. Weathers, Chief**
Lexington Police Department

LBW/rmh

MAYOR LINDA GORTON

LEXINGTON

CHRIS FORD
COMMISSIONER
GENERAL SERVICES

TO: Mayor Linda Gorton
Honorable Members, Urban County Council

FROM: Chris Ford, Commissioner of General Services

DATE: November 16, 2022

SUBJECT: Cell Tower Lease Agreement at Deer Haven Park (LV Cove # 474230)

Request:

Request Council Authorization for the Mayor to execute a Cell Tower Lease Agreement with Cellco Partnership d/b/a Verizon Wireless for a designated site located at Deer Haven Park.

Purpose:

The agreement shall have an initial ten (10) year term, commencing on enactment date, automatically renewing for two (2) additional five (5) year term(s). As of Commencement Date, Tenant shall pay to Landlord a lump sum of $30,000.00. In year two of the initial term, and each year thereafter, rent shall increase by 3% over the rent paid during the previous year as per Exhibit 3.

Budgetary Implication:

Revenue first year $30,000.00.

Are the funds budgeted? N/A

File Number: 1221-22

Director/Commissioner: Chris Ford

MAYOR LINDA GORTON

LEXINGTON

KEVIN ATKINS
CHIEF DEVELOPMENT OFFICER

TO: Mayor Linda Gorton
Urban County Council

FROM: Kevin Atkins
Chief Development Officer

DATE: November 17, 2022

SUBJECT: Purchase of Service Agreement – Planning and Development Approval Process Study

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Request

Request Council authorization to execute a Purchase of Service Agreement with The Walker Collaborative, Inc. for a study of the Lexington-Fayette Urban County Government's planning and development approval processes.

Reason for Request

Request for Proposal ("RFP") No. 58-2022 was advertised in September 2022 for the purpose of seeking proposals from qualified professional planning firms to complete a comprehensive review of Lexington-Fayette Urban County Government's current planning and development review processes. The primary purpose of the study is to ensure that our local planning processes remain as efficient and competitive as possible, which will include regional benchmarking with comparable communities. The Walker Collaborative, Inc. was chosen by the selection committee at the conclusion of the RFP process.

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

The cost for this FY is: $135,000

The cost for future FY is: N/A

Are the funds budgeted?

The funds are budgeted.

Account number: 1101-136101-0001-71299

Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Linda Gorton
Mayor

Kenneth Armstrong
Commissioner

TO: Mayor Linda Gorton
Urban County Council

FROM: Chief Lawrence B. Weathers
Lexington Police Department

CC: Commissioner Kenneth Armstrong
Department of Public Safety

DATE: November 17, 2022

SUBJECT: Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) -
- Memorandum of Understanding – ATF/LPD Violent Crimes Task Force

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Request
Authorization to accept the attached Memorandum of Understanding (MOU) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), for the ATF/LPD Violent Crimes Task Force. This MOU is effective with the signatures of all parties and terminates at the close of business on October 30, 2027.

Why are you requesting?
This agreement allows for the ATF and Lexington Police Department (LPD) to cooperate as a violent crimes task force to investigate persons who violate Federal firearms and explosives laws as well as persons who use, carry or possess firearms or destructive devices in furtherance of a drug trafficking crime or a crime of violence.

The Task Force will perform the activities and duties described below:

a. Investigate firearms trafficking
b. Investigate firearms related violent crime
c. Gather and report intelligence data relating to trafficking in firearms
d. Conduct undercover operations where appropriate and engage in other traditional methods of investigation in order that the Task Force's activities will result in effective prosecution before the courts of the United States and the State of Kentucky.

The attached agreement requires the Mayor's signature. Upon approval and signing, please forward original agreement to the Chief's Office to acquire additional signature. If you have any questions or require additional information, please contact my office.

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

Are the funds budgeted? N/A

File Number: 1224-22

Director: Lawrence B. Weathers, Chief
Lexington Police Department

LBW/rmh

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: November 15, 2022

SUBJECT: Sanitary Sewer Systems Easement Renewal / USA Letter of Agreement DACA27-2-97-007 for 2250 Leestown Road

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Request

The purpose of this memorandum is to request a resolution authorizing the Mayor to execute a Letter of Agreement with the United States Department of the Army, amending Easement No. DACA27-2-97-007 located at the Lexington Armed Forces Reserve Center, 2250 Leestown Road (f.k.a. 151 Vo-Tech Road). The existing sanitary sewer easement expired on November 14, 2021 and will be extended for a term of 50 years, ending on November 13, 2071. The U.S. Army Engineer District, Louisville to perform all preparation and processing of all the required documents at a cost not to exceed $4,000.00.

Purpose of Request

The requested resolution will authorize acceptance of the USA Letter of Agreement amending the sanitary sewer easements at 2250 Leestown Road (f.k.a. 151 Vo-Tech Road).

Project Cost in FY23

The cost to acquire the easement extension is $4,000.00.

Are Funds Budgeted

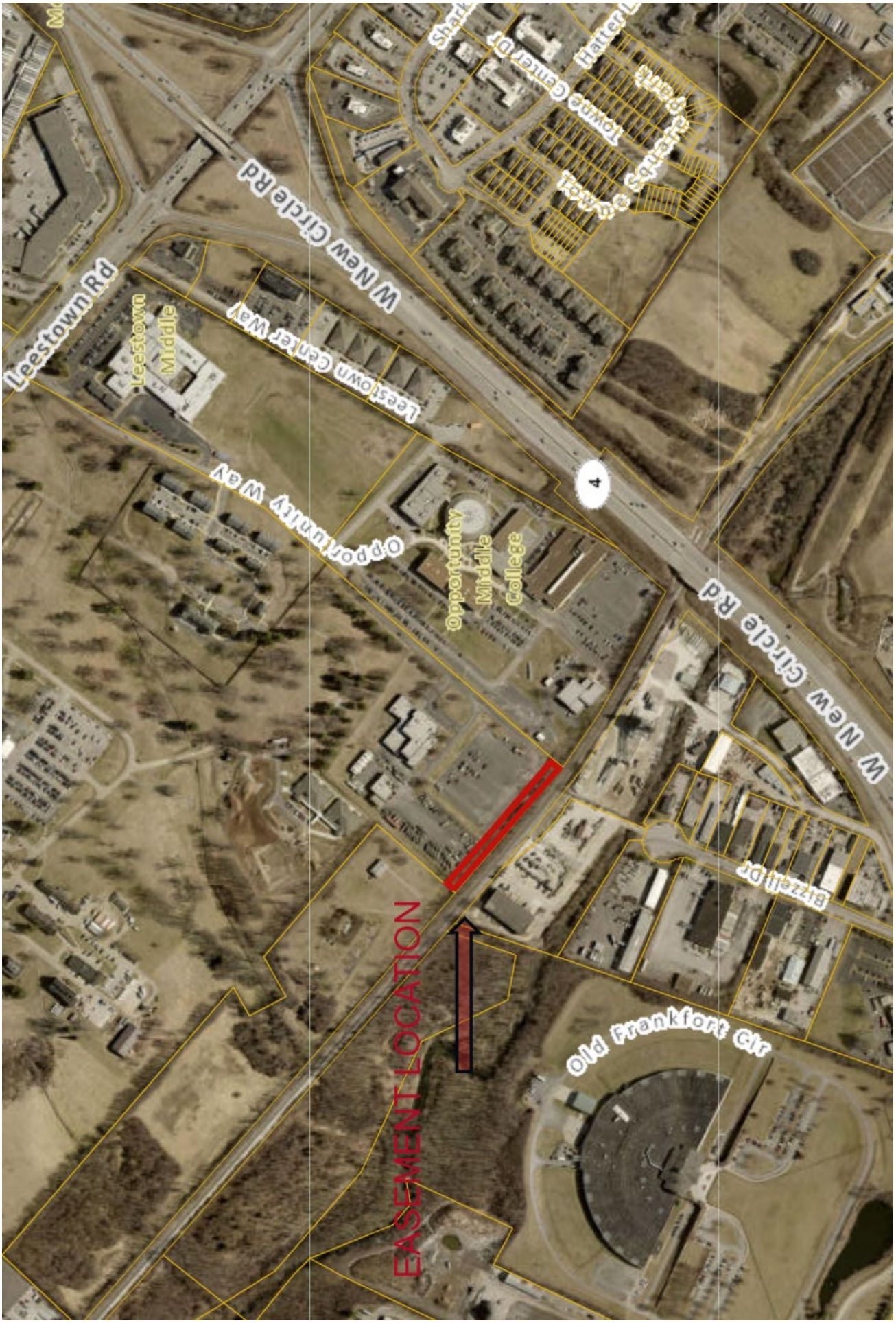
The funds are budgeted in the following account:

FUND	DEPT ID	SECT	ACCT
4002	303401	3401	71301

Director / Commissioner

Martin / Albright

AREA MAP – SANITARY SEWER EASEMENT (2250 LEESTOWN ROAD)



MAYOR LINDA GORTON

LEXINGTON

TAMARA WALTERS
DIRECTOR
HUMAN RESOURCES

MEMORANDUM

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

FROM: Tamara M. Walters
Tamara Walters, Director
Division of Human Resources

DATE: November 21, 2022

SUBJECT: Create Positions – Division of Fire and Emergency Services

Request:
The attached action is requesting authorization to create twenty-one (21) sworn positions of Firefighter (Grade 311N) in the Division of Fire and Emergency Services, effective upon passage of Council.

Why are you requesting:
The Division of Fire and Emergency Services is requesting this increase to their authorized strength as a result of LFUCG's acceptance of the SAFER grant.

What is the cost in this budget year and future budget year?
This has a future impact annual cost of $79,793.00 per firefighter and will be grant funded.

File Number:
1231-22

Director/Commissioner: Tamara Walters/Sally Hamilton

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

MAYOR LINDA GORTON

LEXINGTON

TO: Lexington-Fayette Urban County Council

FROM: Devine Carama

DATE: November 22, 2022

SUBJECT: Community Action County/One Lexington Crisis Response

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Requesting approval of a resolution to enter into Professional Services Agreements with each selected crisis response mediator in order to implement the One Lexington neighborhood crisis response model, with each agreement not to exceed $2,000 in FY2023.

Department needs this action completed to move forward with selected mediators to provide these services. The selected contractors list will be made publicly available.

The cost for this FY is: $50,000

The cost for future FY is: N/A

The funds are budgeted.

Account number: 1101-133006-1321-71299

File Number: 1237-22

Director/Commissioner: Devine Carama/Tyler Scott

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: November 21, 2022

SUBJECT: Professional Services: South Elkhorn Pump Station Odor Control Upgrade

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Request

The Division of Water Quality requests approval of a professional engineering services agreement between the Lexington-Fayette Urban County Government (LFUCG) and GRW for the South Elkhorn Pump Station Odor Control Upgrade evaluation. The value of this service agreement is $72,330.

Purpose of Request

The purpose of this request is to contract with GRW for assessment of the existing odor control system at the pump station. The deliverables for this assessment are:

1. Evaluate the operational integrity of the existing, 12 year old system.
2. Produce a report regarding the existing system and evaluate the feasibility of alternative odor control technologies.
3. Once the division and stakeholders have reviewed the report and its findings, a recommendation will be given to GRW so that they can prepare a detailed cost estimate for final design, bidding and construction management services for the recommendation odor control upgrade.

GRW was the only firm that responded to RFP 60-2022 issued by the Division of Central Purchasing. The Division of Water Quality recommends award of this contract to GRW.

Project Cost in FY23 and in Future Budget Years

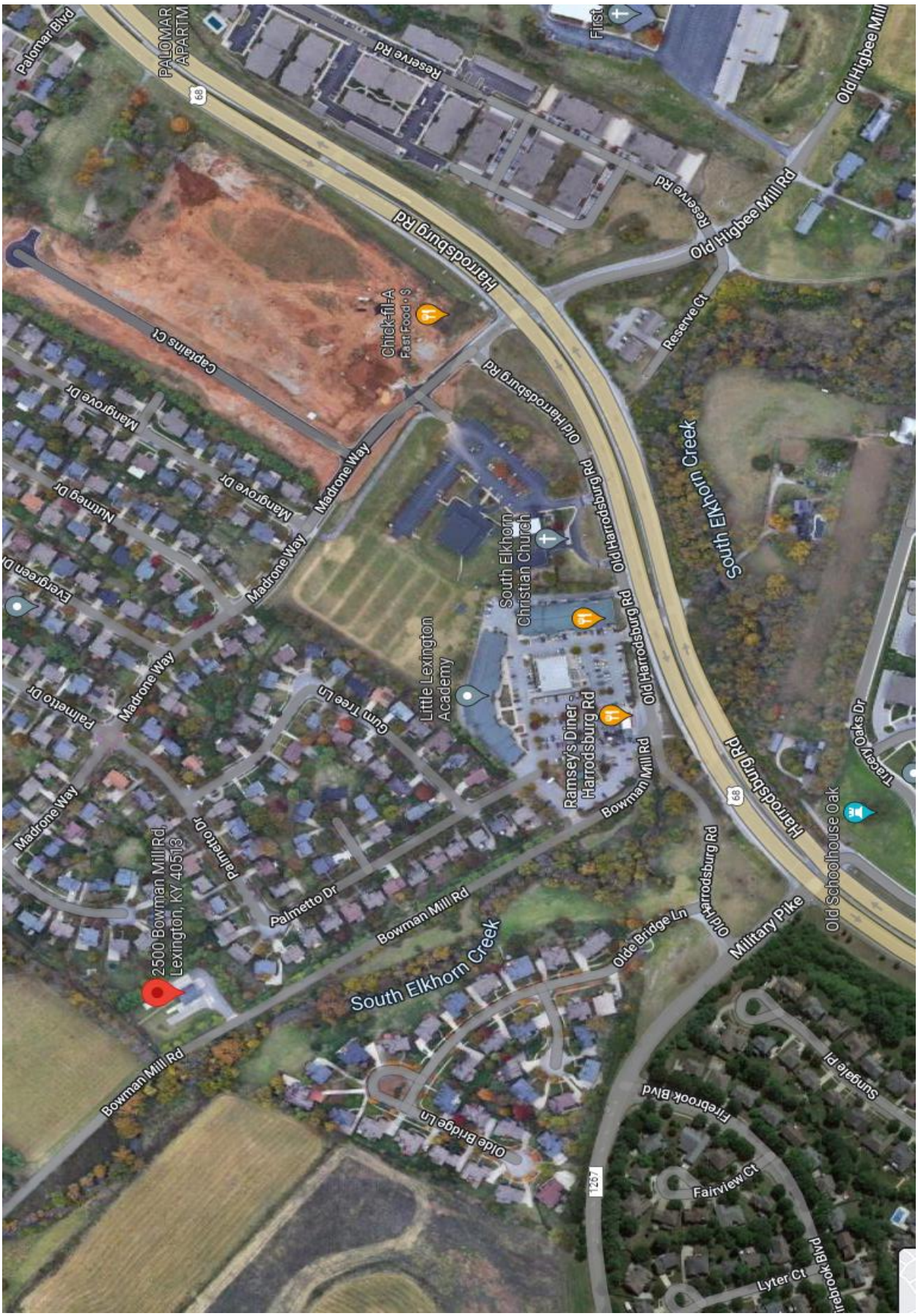
The FY23 cost of the professional engineering services is $72,330.00. Future cost for detailed design, bidding and construction management services will be negotiated using the hourly rates contained in the proposal. Future costs will be processed as a change order for approval by Urban County Council.

Are Funds Budgeted

Funds are budgeted in 4002 303401 3401 71205 2023

.Martin/Albright

SOUTH ELKHORN PUMP STATION
2500 BOWMANS MILL ROAD



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: **NOVEMBER 23, 2022**

SUBJECT: **Agreement with Lexington-Fayette County Health Department**

Request: Council authorization to execute an agreement with the Lexington-Fayette County Health Department in the amount of $237,500 for the Expanded First Responders and Community Partners Overdose Prevention Project (EFRCPOPP) funded under the U.S. Department of Health and Human Services First Responders - Comprehensive Addiction and Recovery Support Service Grant (FR-CARA).

Purpose of Request: On September 8, 2022, Council approved acceptance of federal funds from the U.S. Department of Health and Human Services for operating the Expanded First Responders and Community Partners Overdose Prevention Project. The funding agency requires recipients to contract with a service provider who will collect data and evaluate performance. The Division of Social Services listed the Lexington-Fayette County Health Department as the required evaluator in the grant application.

Through the Expanded First Responders and Community Partners Overdose Prevention Project (EFRCPOPP), the Lexington-Fayette County Health Department will be responsible for dispensing naloxone to first responders and providing data on naloxone distribution, which is a key component of the grant program.

What is the cost in this budget year and future budget years? $237,500 is budgeted. Future budget years will depend on additional grant funding.

Are the funds budgeted? Yes, funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCT	PROJECT	ACTIVITY	BUD REF	AMOUNT
3190	606105	0001	75101	SAMHSA_2023	FED_GRANT	2023	$237,500

File Number: 1247-22

Director/Commissioner: Amy Baker/Kacy Allen-Bryant

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: **NOVEMBER 23, 2022**

SUBJECT: **Agreement with University of Kentucky Research Foundation (UKRF)**

Request: Council authorization to execute agreement in the amount of $44,927 with the University of Kentucky Research Foundation (UKRF) for the provision of evaluation services for the Barrier Free Re-Entry and Recovery Initiative (BFREE) under the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Service Administration from the Consolidated Appropriations Act, 2022.

Purpose of Request: On November 3, 2022 (Resolution 612-2022), Council approved acceptance of federal funds from the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Service Administration from the Consolidated Appropriations Act, 2022 for the Barrier Free Re-Entry and Recovery Initiative (BFREE). The funding agency requires recipients to contract with a service provider who will collect data and evaluate performance. The Division of Social Services listed the University of Kentucky Research Foundation as the required evaluator in the grant application.

UKRF will provide evaluation services pertaining to Year 1 of the Lexington-Fayette Urban County Government Barrier Free Re-Entry and Recovery Initiative (BFREE) Project. The purpose of the project is to assist individuals with substance use disorder to navigate the local SUD treatment system, including providing information and referrals, and removing barriers to treatment.

What is the cost in this budget year and future budget years? $44,927 is budgeted. Future budget years will depend on additional grant funding.

Are the funds budgeted? Yes, funds are budgeted as follow:

FUND	DEPT ID	SECT	ACCT	PROJECT	ACTIVITY	BUD REF	AMOUNT
3190	606105	0001	71299	SMHSABFREE_2023	FED_GRANT	2023	$44,927

File Number: 1249-22

Director/Commissioner: Amy Baker/Kacy Allen-Bryant

MAYOR LINDA GORTON

LEXINGTON

TAMARA WALTERS
DIRECTOR
HUMAN RESOURCES

MEMORANDUM

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

FROM: Tamara M. Walters
Tamara Walters, Director
Division of Human Resources

DATE: November 28, 2022

SUBJECT: Create Position – Division of Water Quality

Request:
The attached action is requesting authorization to create one (1) classified position of Chief Plant Operations Manager (Grade 527E) in the Division of Water Quality, effective upon passage of Council.

Why are you requesting:
Upon the request of the division, and in accordance with the Code of Ordinances, the Division of Human Resources conducted a classification study on the requested position. The study was conducted according to standard procedures using Job Analysis Questionnaires (JAQs) and position audit. The position was analyzed by staff using the whole job rank and factor comparison methods. As a result, a recommendation for the requested position is described in this action.

What is the cost in this budget year and future budget year?
This has a 12-month future impact of a cost of $116,611.78.

Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Chief Plant Operations Manager	($0)	$82,368.00	$82,368.00
Total Annual Impact/ Salary and Benefits $116,611.78			

File Number:

1250-22

Director/Commissioner: Tamara Walters/Sally Hamilton

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

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: **NOVEMBER 23, 2022**

SUBJECT: **Authorization to Execute KY CACFP Catering Contract with Bateman Community Living an Elior Company from BID 138-2022 for Catering Services for the Family Care Center**

Request: Council authorization to execute Kentucky Child and Adult Care Food Program catering contract with Bateman Community Living an Elior Company dba TRIO Community Meals, LLC for catering services for breakfast, lunch and supplemental snack for the Family Care Center. Cost not to exceed $174,331.60.

Purpose of the Request: The Family Care Center requested competitive bid 138-2022 for Catering Services for the Family Care Center. Bateman Community Living an Elior Company dba TRIO Community Meals, LLC was lowest bid to provide catering services meals for the Family Care Center. The prices are $2.61 for breakfast, $4.43 for lunch and $1.23 for afternoon snack. It is estimated that 63,240 meals will be served for the period of November 21, 2022 through September 30, 2023 for an estimated cost of $174,331.60.

What is the cost in this budget year and future budget years? Total cost in FY2023 is $174, 331.60. Future funding is dependent upon availability of grant funding.

Are the funds budgeted? Funds budgeted as following:

FUND	DEPT ID	SECT	ACCT	PROJECT	ACTIVITY	BUD REF	AMOUNT
3100	606401	6403	75102	CHD_CR_FD_2023A	FED_GRANT	2023	$ 174,331.60

File Number: 1251-22

Director/Commissioner: Horton-Holt/Allen-Bryant

MAYOR LINDA GORTON

LEXINGTON

THERESA REYNOLDS
DIRECTOR
GRANTS & SPECIAL PROGRAMS

TO: LINDA GORTON, MAYOR
URBAN COUNTY COUNCIL

FROM: THERESA REYNOLDS, DIRECTOR
DIVISION OF GRANTS & SPECIAL PROGRAMS

DATE: NOVMEBER 23, 2022

SUBJECT: Amendment to the 2017, 2019, and 2020 Consolidated Plans – PUBLIC HEARING ON DECEMBER 6, 2022

Request: Council authorization to approve and adopt a substantial amendment to the 2017, 2019, and 2020 Annual Action Plans and reallocate funding from several existing Community Development Block Grant projects to a new Application Fee and Deposit Assistance project, resulting in a net zero change in total CDBG funding and expense to LFUCG.

Purpose of Request: Several existing projects in the Community Development Block Grant (CDBG) program were completed or are expected to be completed without spending all allocated funds. To ensure these funds are utilized for other eligible activities in the CDBG program, the Department of Housing Advocacy & Community Development will create a new Application Fee and Deposit Assistance program to provide financial assistance with relocation expenses for low-income renter households at heightened risk of housing instability. Funding will be reallocated as follows:

Existing Project/Funds To Be Reallocated	**Amount to be Reallocated to New Projects**	**HUD Annual Action Plan Year(s)**	**LFUCG Project ID(s)**
Realtor Community Housing Foundation	$9,737.23	2017	CDBG_2018
Human Rights Commission	$14,692.80	2019	CDBG_2020
New Beginnings	$19,675.51	2019	CDBG_2020
Meadows Northland Arlington Public Improvement Project	$3,441.24	2020	CDBG_2021
Community Development Block Grant Rehabilitation Administration	$71,178.22	2020	CDBG_2021
Community Development Block Grant Emergency Repair	$31,275.00	2020	CDBG_2021
Total	**$150,000.00**		

New or Expanded Project/Activity	Amount of New Allocation	HUD Annual Action Plan Year(s)	LFUCG Project ID(s)
Application Fee and Deposit Assistance	$150,000	2017, 2019, 2020	CDBG_2018 CDBG_2020 CDBG_2021
Total	**$150,000.00**		

In accordance with federal regulations found at 24 CFR Part 91 and the amended Citizen Participation Plan approved by the Urban County Council on May 28, 2020 (Resolution 219-2020), these modifications require a substantial amendment to the Annual Action Plan. Substantial amendments require opportunities for citizen comment. **Therefore, a public hearing will be held in conjunction with the regularly scheduled Urban County Council meeting on Tuesday, December 6, 2022, at 6:00 pm.**

What is the cost in this budget year and future budget years? Funds will be reallocated within the existing CDBG grant budgets. There are no additional costs.

Are the funds budgeted? Budget adjustments will be submitted to reallocate funds within the existing grant budgets as needed.

File Number: 1252-22

Director/Commissioner: Reynolds/Lanter

MAYOR LINDA GORTON

LEXINGTON

KEVIN ATKINS
CHIEF DEVELOPMENT OFFICER

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

FROM: **KEVIN ATKINS**
CHIEF DEVELOPMENT OFFICER

DATE: **NOVEMBER 28, 2022**

SUBJECT: **ASSIGNMENT AND ASSUMPTION AGREEMENT IDENTIFY 3D**

REQUEST:
Authorization to execute an Assignment and Assumption Agreement related to the Lexington-Fayette Urban County Government (LFUCG) JOBS Fund program. Identify3D, Inc. will assign their incentive agreement to Materialise USA LLC.

WHY ARE YOU REQUESTING:
In 2017 the LFUCG provided Identify 3D, Inc. with a $100,000 forgivable loan under the Lexington JOBS Fund program. The incentive agreement was for the addition of (4) new full-time jobs at a mean hourly wage of $48.08 to be maintained for a compliance period of 10-years. Identify 3D, Inc. is being acquired by Materialise USA, LLC. Under the JOBS Fund incentive agreement LFUCG must consent to the assignment of the Incentive Agreement from the former company (Identify 3D) to the acquiring company (Materialise USA LLC.) for the incentive to remain active.

WHAT IS THE COST IN THIS BUDDGET YEAR AND FUTURE BUDGET YEARS?

The cost for FY2023 is: N/A

The cost for future FY is: N/A

ARE THE FUNDS BUDGETED?

N/A

DIRECTOR/COMMISSIONER:

Atkins

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: **NOVEMBER 29, 2022**

SUBJECT: Authorization to execute Change Order No.3, with Pace Contracting, for the Splash! at Charles Young Park construction project, for $18,737.02.

Request: Authorization to execute Change Order No.3, with Pace Contracting, for the Splash! at Charles Young Park construction project. Increasing the contract price by the sum of $18,737.02 from $1,461,311.13 to $1,480,048.15.

Purpose of Request: Pace Contracting, was awarded the Splash! at Charles Young Park construction project on May 5, 2022 (Resolution No. 237-2022). On September 8, 2022 (Resolution 511-2022), Council approved Change Order No. 1 to increase the contract by $162,663.18 for a new contract total of $1,411,863.18. Change order No. 2 is in process to increase the contract amount $49,447.95 to include necessary changes to the emergency eye wash and shower within the mechanical pump room. Change order No.3 will increase contract #100-2022 amount to include necessary changes to accommodate a new water service line and revised storm sewer tie-in. The cost increase is a factor of unexpected field conditions.

What is the cost in this budget year and future budget years?
The cost for this FY is: $18,737.02
The cost for future FY is: none

Are the funds budgeted? Yes, funds are budgeted as following:

- 1101-707601-7211-76101-717

File Number: 1257-22

Director/Commissioner: Peacher/Scott

27

1257-22

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER Page 1 of 2	Date:	11.28.2022	
	Project:	Splash!	
	Location:	Charles Young Park	
To (Contractor):	Contract No.	100-2022	
	Original Contract Amt.	$1,249,200.00	
	Cumulative Amount of Previous Change Orders	$212,111.13	
	Percent Change - Previous Change Orders		16.98%
	Total Contract Amount Prior to this Change Order	$1,461,311.13	
	Change Order No.	3	

You are hereby requested to comply with the following changes from the contract plans and specification;

Current Change Order

Item No.	Description of changes-quantities, unit prices, change in completion date, etc.	Decrease in contract price	Increase in contract price	
1	New water service line		$3,661.35	
2	Revised storm sewer tie-in		$16,943.85	
3	Bond adjustment		$185.52	
4	Masonry	$2,053.70		
	Total decrease	$2,053.70		
	Total increase		$20,790.72	
	Net Amount of this Change Order	$18,737.02		
	New Contract Amount Including this Change Order	$1,480,048.15		
	Percent Change - This Change Order			1.27%
	Percent Change - All Change Orders			18.48%

The time provided for the completion in the contract and all provisions of the contract will apply hereto.

Recommended by Erin Hathaway Digitally signed by Erin Hathaway Date: 2022.11.29 12:50:27 -05'00' (Proj. Engr.) Date 11.29.22

Accepted by Tate Hatfield , Users Digitally signed by Tate Hatfield , Users DN: CN=Tate Hatfield, CN=Users, DC=lpxinc, DC=local Date: 2022.11.29 12:36:45-05'00' (Contractor) Date 11/29/22

Approved by [signature] (Director) Date 11.29.22

Approved by [signature] (Commissioner) Date 11.29.22

Approved by _____ (Mayor or CAO) Date _____

Neighborhood Development Funds
December 6, 2022
Work Session

Amount	Recipient	Purpose
$ 2,700.00	The Lexington Hearing and Speech Center, Inc. Marcey Ansley 350 Henry Clay Boulevard Lexington, KY 40502	To support their mission to teach children with hearing, speech and language impariments.
$ 2,700.00	Tee Dee Young Enterprice, LLC Endia Harvey 266 East Second Street Lexington, KY 40507	To assist with youth scholarships for the 2023 school year.
$ 3,000.00	Lexington History Museum Timothy Burcham 317 South Mill Street Lexington, KY 40508	To purchase donor acquisition software.
$ 3,000.00	The Lexington Fashion Collaborative Edd Mackey 210 East High Street, Suite 2034 Lexington, KY 40588	To assist with shipping and packaging to donate a horse mania statue to the Bahamas.
$ 200.00	16th District PTA c/o Arlington Elementary Doug Tatters 122 Arceme Avenue Lexington, KY 40505	To assist with the theatre program at Arlington Elementary.
$ 250.00	Bluegrass Families First Joanna Rodes PO Box 1663 Lexington, KY 40588	To assist with the 2023 Jean Sabharwal Award luncheon.
$ 250.00	Georgetown Street Neighborhood Assoc. Rolanda Woolfork PO Box 11382 Lexington, KY 40575	To assist with the community cornhole tournament.
$ 500.00	Highlands Neighborhood Assoc., Inc. 1974 Parallel Road Lexington, KY 40511 Stephanie Sobleski	To assist with the neighborhood Christmas party and maintenance of the front entrance.
$ 300.00	McConnell's Trace Neighborhood Assoc., Inc. PO Box 23853 Lexington, KY 40523 Ben Payne	To assist with neighborhood holiday parties.

$ 500.00	Wilderness Road Girl Scouts 177 Acorn Falls Lexington, KY 40509 Carla Jackson	To assist with snacks, badges, uniforms and activities for troop #8003.

Council Capital Projects
December 6, 2022
Work Session

Amount	Recipient	Purpose
$ 25,000.00	Seedleaf, Inc. Christine Smith 714 North Limestone Street Lexington, KY 40508	for deed restrictions for 449 Race Street and 829 Whitney Avenue to continue the restricted use of the property for a community greenspace for a period of 5
$ 28,721.00	Divine Providence, Inc. Ginny Ramsey PO Box 324 Lexington, KY 40588	To assist with the Dignity Project.
$ 21,279.00	LFUCG-Environmental Quality and Public Works George Milligan 1105-313101-3101-91714 BA #12019	To assist with the design and construction of the Main Street Baptist Church parking solution.

Planning and Public Safety Committee

October 18, 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, Reynolds, and Plomin were in attendance. Council Members LeGris, Sheehan, F. Brown, and Vice Mayor Kay were also present as non-voting members.

I. Approval of June 21, 2022 Committee Summary

Motion by Plomin to approve the June 21, 2022 Committee Summary. Seconded by Baxter. Motion passed without dissent.

II. ADU Update

Chris Taylor, Administrative Officer in the Division of Planning, provided an update on Accessory Dwelling Units (ADU) since completion of the one year pilot program. He spoke about the detached structures that were prohibited by Council unless they were constructed by October 31, 2021 or an application for a building permit was on file before that date. After one year of actual permitting, there are 5 permitted ADUs completed or under construction - 4 of those are detached structures and 1 was previously permitted by BOA in 1995. He mentioned that they have had 15 completed pre-application meetings with the intention to go forward and 8 completed pre-application meetings but the regulations prevented them from moving forward. He spoke about applicant concerns with ADUs and he noted that a primary issue has been a lack of distinction between living quarters, ADU, and short term rentals. To meet the demand for ADUs, there needs to be greater education on ADUs as a housing option, an easier permitting process, and clarity on zoning regulations.

Worley asked how many people are looking to build a new structure for an ADU and not understanding this is not allowable under our current ordinance. Taylor estimates that about 3 out 4 people want to build something outside of what is allowed. Worley feels it is inequitable that only those with existing structures should have the opportunity to take advantage of this. He sees this as a limitation on the program and he feels this could more successful if we allowed people to build new structures.

Lamb asked if they track the number of phone calls or requests from people who want to build a structure. Taylor said they do keep track of the calls with as much as detail as possible. He said it is very common that people want to build a detached structure which is not permitted. Lamb asked what the number of requests is at this time. Taylor does not have an exact number because he does not field every call, but he estimates that he has received about 30 calls from people wanting to build something that is not allowable.

Sheehan and Taylor confirmed that none of the ADUs that have been approved are being used as short term rentals because those would have to go to the board of adjustment. Two of the five are for loved ones in respite care and the other three did not state a specific use.

Baxter and Taylor discussed feedback from neighbors or others in the community. Taylor stated that he had received one call from someone who thought a neighbor was building an ADU, but they were not. The other calls have been from people with general questions about ADUs.

Plomin and Taylor confirmed there is no notification requirement for an ADU. By right, this is an accessory use. Taylor added that the permits for these are online and available to the public, but there has not been an issue.

J. Brown asked if Louisville was experiencing overlap between ADUs and short term rentals. Taylor stated that Louisville has invested in software for the enforcement of their short term rentals, but they have the same regulations we have for the uses of each. They regulate their short term rentals very differently than we do and there is not a good comparison at this point.

No further comment or action was taken on this item.

III. Overview of Short Term Rentals

Kendra Thompson, Research Analyst in the Council Office and Evan Thompson, Attorney in the Law Department, presented an update on short term rentals.

J. Brown announced that they would like to schedule a Special PPS Committee meeting on November 29th to allow for public comment on this issue, 5pm following work session. There were no objections to this request. Sheehan added that the plan is to have a draft ordinance released prior to the public hearing.

No further comment or action was taken on this item.

IV. Flock Camera Update

Commander Greathouse with the Lexington Police Department began with an overview of the Flock Camera program and said multiple police agencies in Kentucky are using the License Plate Readers (LPR). These cameras take 6-7 still images when a vehicle passes and can read the license plate and determine the color, make and type of vehicle which are all searchable. They are shared only with other law enforcement agencies. He spoke about the quarterly audit and said the first audit was completed in October 2022 which was the first quarter after full implementation. He reviewed data on apprehensions of multiple violent offenders since the cameras have been in place. He spoke about steps moving forward which would require a new agreement in place and locations will be updated on the LPD transparency page. He mentioned that some LPRs have been vandalized and stolen which adds to the concern of revealing LPR locations.

McCurn and Greathouse confirmed the photos taken capture the rear of the vehicle. McCurn spoke about a warrant out for the owner of the vehicle and asked if this is what would flag it in the system. Greathouse said it depends on whether it is entered in the NCIC system, but it may not hit if the individual is associated with multiple vehicles. He clarified that the system triggers solely off the license plate. McCurn asked if the LPRs in surrounding counties are Flock systems and if they communicate well with ours. Greathouse is not sure if other vendors are used, but he said they can share data as long as they are on the same network (Flock).

Plomin and Greathouse discussed purchasing these for neighborhoods who request them. Greathouse said private entities are allowed to purchase LPRs for their specific locations such as neighborhoods or businesses. Plomin asked if this is happening frequently. Greathouse can't speak to the frequency, but there are people using these in our community and others aren't going in certain locations because of these.

Kloiber spoke about the alerts on vehicles of interest and he asked how many man-hours, between dispatchers and officers, have been committed to following up on these alerts since the pilot program was implemented. Greathouse does not have the exact figure, but he said it depends on the initiative of the officer. It is a passive system so if units aren't available, they won't be dispatched. Kloiber asked if we have numbers on how many alerts have been received but have not resulted in action taken. Greathouse does not have these specific numbers and he said it would be difficult to aggregate.

Reynolds spoke about the 25 cameras in the pilot program and she asked how many would make this complete. Greathouse explained that currently, they are focused on the 25 in place and how those are helping the community. He cannot speak to how many the Chief would like to eventually have. Reynolds and Greathouse confirmed that the cameras only take photos when triggered and those photos are kept for 60 days.

Bledsoe spoke about the privately-used cameras and asked if they are automatically shared with law enforcement if they are on the same network. Greathouse said this does not happen automatically. If they wanted to share with law enforcement, they would have to go into the system and request to share. He clarified that this is a one-way street. Our Law Enforcement would be able to look at their data, but they would not be able to see ours. Bledsoe asked about the cost associated with the cameras being vandalized or stolen. Greathouse did not have the exact amount because the company has been taking care of these costs. Once we install these on our own, it would be whatever the prorated cost is for a camera.

Worley said this a valuable tool and the facts and numbers speak to the success. Worley asked about locating missing persons and asked if one of these could have been an abducted child. Greathouse said it has helped locate missing children. Worley said that the action we have been able to take with these in seizing firearms and recovering stolen vehicles and apprehending violent criminals speaks to how these cameras are deterring crime.

Sheehan spoke about the information posted on LPD's web site regarding the flock camera system. She asked if there is a way to provide a comparison that shows how these have benefited our community from year to year, such as with the recovery of stolen vehicles, to show that there has been an increase. Greathouse said this is something they have thought about, but they have only had all 25 cameras in place for just over 2 months. To get a true dataset and to have a good comparison, we would need to have enough data and information to compare. They are working on a plan to show how this looked before implementation and how it looks now, but they prefer to have at least 6 months of data to illustrate this.

Lamb and Greathouse confirmed that the one-year pilot would conclude in August 2023. Lamb spoke about neighborhoods wanting to install Flock cameras and asked if there is an agreement the neighborhoods would need to have in place if they want the city to share the data. Greathouse said there is no written agreement. They can share if they want to, but they do not have to. He clarified that this is done through the Flock system and Flock would control this. Lamb hopes to have more information before deciding how to move forward.

J. Brown spoke about equity and transparency with regard to this program and he asked if there is a race/residence location component to the audit. Greathouse clarified that this is not something we can look at with the audit. We can look at specific data on searches for people using the database and making sure it is used correctly. J. Brown and Greathouse confirmed that the audit focuses on how the LPD is using the cameras, but not the information obtained. J. Brown spoke about the decision to not disclose the locations of these cameras. Greathouse confirmed that we can share the locations under a new agreement with the understanding that these cameras could be moved to a new location based on data received. J. Brown and Greathouse confirmed that we have the ability to decide who we share information with. J. Brown is interested in having the Mayor's Commission on Justice and Equality review the policy for any recommendations or suggestions for improvement with regard to equity and transparency.

Ellinger and Greathouse confirmed that the 25 cameras have not been moved since they were installed. Greathouse said physically moving them is not labor intensive, but scheduling them to moved does take additional time. Ellinger and Greathouse discussed how the location of cameras is determined. Greathouse said first cameras were located based on violent crime reported to the Police Department. Ellinger asked what happens if the vehicle does not have a license plate to be read. Greathouse said it takes a picture of the vehicle itself which is searchable by make, model, and color. He noted that, if a vehicle was listed as stolen, the license plate is what would trigger in the system. Vehicles with no license plate would be vehicles they are looking for as part of an investigation.

Baxter clarified that $275,000 was included in the budget for 75 additional cameras and Council requested $250,000 for ongoing expenses. She spoke about the pilot program and asked if each camera has its own one-year lease. Greathouse said it depends on when the last camera was installed. Baxter feels that if there were more cameras, they could be spread out to make it more equitable.

J. Brown said next steps would be for the administration to bring to full Council a date for implementation of the next phase of this program.

No further comment or action was taken on this item.

V. Items Referred to Committee

Motion by J. Brown to remove *Amend Council Rules to add a Section on Police Discipline Presented to Council* and *Report from Infill & Redevelopment Committee Regarding Issues Related to Language of Context Sensitivity in the Comprehensive Plan* from the list of committee referral items. Seconded by Ellinger. Motion passed without dissent.

Motion by Reynolds to remove *Police Discipline After Action Review Commission* from the list of committee referral items. Seconded by Ellinger. Motion passed without dissent.

Motion by McCurn to remove *Planned Unit Develop Zones* from the list of committee referral items. Seconded by Ellinger. Motion passed without dissent

Motion by Lamb to adjourn at 2:20 p.m. Seconded by Plomin. Motion passed without dissent.

Special Planning and Public Safety Committee

November 29, 2022

Summary and Motions

Chair J. Brown called the meeting to order at 5:06 p.m. Committee Members Ellinger, McCurn, Lamb, Kloiber, Worley, Baxter, Bledsoe, Reynolds, and Plomin were in attendance. Council Members LeGris and Sheehan were also present as non-voting members.

I. Short-Term Rentals Presentation

Kendra Thompson, Research Analyst in the Council Office, provided an overview of the Amendments to Section 13 in the Code of Ordinances (Code) as well as the Amendments to the Zoning Ordinance Text Amendment (ZOTA). She began with a timeline to illustrate the steps that have been taken to pass regulations since the item was placed in committee in 2019. She spoke about the LFUCG workgroup which consisted of Council Member J. Brown and Council Member Sheehan, representatives from the Law Department, Division of Revenue, Division of Planning, and Council Staff. The workgroup met with short-term rental operators as well as representatives from neighborhoods to discuss concerns on both sides. Thompson said the purpose of this regulation change is to establish short-term rentals as a legal use and define a process for approval and enforcement. She explained that the amendments to the Code includes a section to define the terms related to short-term rentals. The Code amendments also include sections on the licensing process, enforcement, penalties and appeals, taxes, duties of a licensee, and requirements for online advertising. The ZOTA includes definitions, an outline of allowable short-term rentals based on zoning category and the differentiation between hosted and un-hosted short-term rentals. The Zoning Ordinances also addresses maximum occupancy, requirements for a short-term rental in a detached structure, prohibited uses, and Board of Adjustments guidelines for the consideration of conditional use. Finally, J. Brown concluded the presentation with a review of next steps saying there is no timeline on passing this. They plan to listen to public comment and using that input to take another look at the ordinances to make revisions.

II. Public Comment on Short-Term Rentals

J. Brown opened the floor for public comment. Several members of the community were present to provide input on the issue. Short-term rental operators spoke about the strict regulations laid out in the ordinances which could have a devastating impact on their business. Neighborhood representatives and others spoke in favor of these ordinances and expressed the need for short-term rental regulations and enforcement.

II. Council Discussion on Short-Term Rentals

J. Brown spoke about steps moving forward. Upon listening to feedback received tonight, we can make revisions to the ordinances reviewed this evening. He feels putting this out front and allowing short-term rental operators, the public, and neighborhoods to share thoughts and concerns to get feedback on the first draft would be beneficial and it has been. The item will remain in committee and revised drafts will be presented early next year in the General Government and Planning Committee.

Reynolds spoke about permitting requirements for short-term rental as opposed to a Long Term Rental and asked what that difference is. Duncan said there is no permitting process for a Long Term Rental. Reynolds is concerned that we are asking so much of a short-term rental operator. She asked about limiting the number of short-term rentals in certain zones. Goderwis said the limits are based on *one* property. Reynolds expressed concern about the process for limiting with the conditional use permit. Goderwis clarified that un-hosted would be required to have a conditional use permit. She said they are site specific and there are guidelines in the Draft ZOTA. She clarified that the Board of Adjustment process is about four to six weeks. They meet once a month and typically a decision is made at that hearing. It could potentially be continued, but typically a decision is made at the first meeting. Reynolds is concerned that so many would go through conditional use process. She asked about the requirement to have a floor plan because it can be difficult to get these. Evan Thompson, Attorney in the Law Department, explained that this could be a simple drawing and that it does not have to be a formal architectural drawing. Reynolds asked about parking regulations and Goderwis said there is nothing in the ZOTA related to parking. Thompson said the Code mentions having the number of available spaces included in the application process, but it does not mention how many can be on a property at one time. Reynolds and Thompson confirmed this does not regulate on-street parking unless there are residential parking restrictions already in place.

LeGris spoke about the maximum occupancy requirement for a short-term rental. She questioned what the enforcement process looks like. Duncan explained that this would be subject to zoning enforcement through Building Inspection. LeGris and Duncan confirmed that this could be done through a site visit and a conversation with the operator. Duncan added that streamlining enforcement is something that be considered as we revise the ordinance. Thompson said this is also within the Division of Revenue's purview to enforce this since this is in the Code. LeGris also feels that consideration of grandfathering should be included as these discussions continue.

Lamb spoke about previous discussions on this item when it was tabled because there was not adequate time to hear all of the concerns. She appreciates all of the comments and concerns that have been expressed. Plomin thank the members of the community who came out to provide comments. J. Brown reiterated that the item will stay in committee. We will take the feedback received tonight and over the last weeks and return with a second draft of these ordinances and have a committee discussion at the first of the year. He said it would depend on the chair as to when this could be placed on the agenda. He closed by saying the intent is to have a policy in place so our operators can be successful and the community can protect what they value about their neighborhoods.

No action was taken on this item.

Motion by Baxter to adjourn at 7:34 p.m. Seconded by Lamb. Motion passed without dissent.

MAYOR LINDA GORTON

LEXINGTON

TODD SLATIN
DIRECTOR
CENTRAL PURCHASING

Urban County Council
Council Meeting
December 6, 2022

The following price contract bid recommendations will be placed on the Mayor's Report for approval at the December 6, 2022 Council Meeting;

(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 Police – ProTech Ballistic Shields 145-2022 – Kiesler Police Supply
   (b) Div. of Fire & Emergency Services – Toyota RAV 4 - 148-2022- Frankfort Toyota
   (c) Div. of Environmental Services – Road, Land and Stream Cleanups -136-2022 – APHIX, LLC, Woodchuck Holding LLC dba Big Beaver Tree Service, Brownfields Development LLC, Dave Leonard Tree Specialists, DT Property Maintenance LLC, Advanced Mulching Technologies, Inc. DBA EcoGro, H & W Concrete LLC, Lexington Landscape & Maintenance LLC, W L Davis Enterprises LLC