

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Docket

Thursday, March 9, 2023

6:00 PM

Council Chambers

Urban County Council

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

- 0255-23** Minutes of the February 9, 2023 and February 16, 2023 Council Meetings.

IV. Presentations

- 0187-23** RJ Corman 50th Anniversary
- 0188-23** Recognition of CASA Volunteers

V. Ordinances – Second Reading

1. **0210-23** 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. 30. [Div. of Budgeting, Lueker]
2. **0192-23** An Ordinance amending Articles 1-4, 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). [Council Office, Maynard]
3. **0155-23** An Ordinance amending the authorized strength by abolishing one (1) vacant Unclassified Civil Service Position of Eligibility Counselor, Grade 514N, and creating one (1) Classified Civil Service Position of Eligibility Counselor, Grade 514N, in the Div. of Community and Resident Services, effective upon the passage of Council. [Div. of Human Resources, Walters]

VI. Ordinances – First Reading

4. **0217-23** An Ordinance enacting Article LI of Chapter 2 of the Code of Ordinances to create the Opioid Abatement Commission. [Mayor's Office, Scott]

5. **0244-23** An Ordinance modifying a conditional zoning restriction in the Neighborhood Business (B-1) zone, for 0.92 net (1.15 gross) acres, for property located at 2400 Versailles Rd. (Caller Properties, LLC; Council District 10). Disapproval 5-3 (**Public Hearing April 18, 2023 at 5 p.m.**) [Div. of Planning, Duncan]
6. **0245-23** An Ordinance changing the zone from a Neighborhood Business (B-1) zone to a High Rise Apartment (R-5) zone, for 2.29 net (2.52 gross) acres, for property located at 340 Legion Dr. (Cowgill Development, LLC; Council District 10). Approval 8-0 (**To Be Heard By April 26, 2023**) [Div. of Planning, Duncan]
7. **0246-23** An Ordinance changing the zone from a Neighborhood Business (B-1) zone to a Planned Neighborhood Residential (R-3) zone, for 0.10 net (0.12 gross) acres, for property located at 712 Lancaster Ave. (Lexington Habitat for Humanity, Council District 1). Approval 8-0 (**To Be Heard By April 26, 2023**) [Div. of Planning, Duncan]
8. **0247-23** An Ordinance changing the zone from a Single Family Residential (R-1D) zone to a Planned Neighborhood Residential (R-3) zone, for 0.97 net (1.15 gross) acres, for property located at 2819 Liberty Rd. (Liberty Park Development, LLC; Council District 6) Approval 8-0 (**To Be Heard By April 26, 2023**) [Div. of Planning, Duncan]
9. **0248-23** An Ordinance changing the zone from a Professional Office (P-1) zone to a Planned Neighborhood Residential (R-3) zone, for 2.00 net (2.50 gross) acres, for property located at 410 Sporting Court (a portion of). (AU Associates, Inc. Council District 9). Approval 8-0 (**To Be Heard By April 26, 2023**) [Div. of Planning, Duncan]
10. **0249-23** An Ordinance changing the zone from an Interchange Service Business (B-5P) zone to a Highway Service Business (B-3) zone for 30.24 net (37.36 gross) acres, for property located at 5380 Athens Boonesboro Rd. and 5354 Athens Boonesboro Rd. (a portion of). (IVCP Athens South LLC; Council District 12). Approval 8-0 (**Public Hearing April 25, 2023 at 5 p.m.**) [Div. of Planning, Duncan]
11. **0291-23** 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. 31. [Div. of Budgeting, Lueker]

12. **0227-23** An Ordinance amending Article XLV of the Code of Ordinances to create the Neighborhood Investment Fund, and authorizing the Affordable Housing Governing Board, in collaboration with the Office of Affordable Housing, to manage that fund, and any other funds the Council allocates to affordable housing. [Office of Affordable Housing, McQuady]
13. **0242-23** An Ordinance amending the Unclassified Civil Service authorized strength by creating one (1) unclassified position of Community Reentry Advocate, Grade 517N, for a term of one (1) year ending March 31, 2024 with the potential of a twenty-four (24) month extension renewal, in the Dept. of Social Services, effective the first payroll Monday following passage of Council. [Div. of Human Resources, Walters]
14. **0270-23** An Ordinance amending Section 21-33(a) of the Code of Ordinances to increase the vacation leave balance carry forward for Classified Civil Service employees to three hundred and thirty six (336) hours; amending Section 21-33(e) to provide that, upon separation of service, Classified Civil Service employees shall be entitled to receive payment for accumulated vacation leave at their then current pay rate computed on an hourly basis, capped in an amount not to exceed three hundred thirty six (336) hours of accumulated leave; amending Section 21-33(h) to provide that an employee granted a vacation leave carryover extension who separates from service shall be paid for not more than three hundred and thirty-six (336) hours of accumulated vacation leave; and amending Ordinance No. 104-2021 relating to the vacation leave carryover extension to provide that employees shall not carry forward more than three hundred and thirty six (336) hours of vacation leave after December 31, 2023 or the end of the first payroll period in which December 31, 2023 falls and to further provide that employees who separate from service prior to December 31, 2023 shall be paid for all accumulated vacation leave. [Council Office, Maynard]

VII. Resolutions – Second Reading

1. **0161-23** A Resolution accepting the bid of C3 Mechanical, LLC, in the amount of \$73,850, for HVAC York Fan Boxes, for the Div. of Community Corrections, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with C3 Mechanical, LLC, related to the bid. (1 Bid) [Colvin]

2. **0181-23** A Resolution accepting the bid of Haire Construction, LLC, in the amount of \$48,500, for Gainesway Park Drainage Improvements, for the Div. of Parks & Recreation, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Haire Construction, LLC, related to the bid. (2 Bids, Low) [Conrad]
3. **0189-23** A Resolution ratifying the Permanent Classified Civil Service Appointments of: Martha Cromwell, Staff Assistant Sr., Grade 511N, \$18.065 hourly in the Div. of Revenue, effective February 1, 2023, Andrew Shuck, Safety and Loss Control Specialist, Grade 520E, \$2,456.16 biweekly in the Div. of Human Resources, effective March 1, 2023, Carlos Ross, Managing Attorney, Grade 534E, \$4,448.96 biweekly in the Dept. of Law, effective February 8, 2023, Ashley Spicer, Telecommunicator Sr., Grade 519N, \$24.569 hourly in the Div. of Enhanced 911, effective November 9, 2022, Kellie Etheridge, Telecommunicator, Grade 517N, \$22.866 hourly in the Div. of Enhanced 911, effective February 1, 2023, Barnetta Jennings, Telecommunicator, Grade 517N, \$22.256 hourly in the Div. of Enhanced 911, effective December 6, 2022, Rebecca Longo, Telecommunicator, Grade 517N, \$22.859 hourly in the Div. of Enhanced 911, effective February 8, 2023, Heather Puckett, Telecommunicator, Grade 517N, \$22.256 hourly in the Div. of Enhanced 911, effective December 6, 2022, Taylor Grayson, Public Service Supervisor, Grade 516N, \$22.411 hourly in the Div. of Parks and Recreation, effective February 1, 2023, Sean McStay, Public Service Worker Sr., Grade 510N, \$16.615 hourly in the Div. of Parks and Recreation, effective January 18, 2023, Grant Long, Grants Administrative Aide, Grade 518N, \$23.374 hourly in the Div. of Grants and Special Programs, effective December 1, 2022. [Div. of Human Resources, Walters]
4. **0074-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement for residential park property with the following individual for the listed property in consideration of the sum stated in annual rent: Brian Huddle for 3561 Shamrock Lane, \$6,600. [Div. of Parks and Recreation, Conrad]
5. **0129-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with Children's Advocacy Center of the Bluegrass for forensic interviews and extended hours of operation, at a cost not to exceed \$50,000. [Div. of Police, Weathers]

- 6. 0132-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Bluegrass Community and Technical College, for participation of Fire personnel in college courses, at a cost not to exceed \$100,000. [Div. of Fire and Emergency Services, Wells]
- 7. 0133-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from American Heart Association of Adult Anytime CPR kits, for use at the Community Paramedicine Program, at no cost to the Urban County Government. [Div. of Fire and Emergency Services, Wells]
- 8. 0134-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Education) Incentive Grant to Providence Montessori School, Inc., for a Stormwater Quality Project, at a cost not to exceed \$7,150. [Div. of Water Quality, Martin]
- 9. 0135-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Education) Incentive Grant to Bluegrass Greensource, Inc., for a Stormwater Quality Project, at a cost not to exceed \$40,000. [Div. of Water Quality, Martin]
- 10. 0136-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant to Walnut Hill Club at Chilesburg Owners Association, Inc., for a Stormwater Quality Project, at a cost not to exceed \$79,500. [Div. of Water Quality, Martin]
- 11. 0138-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant to Friends of Wolf Run, Inc., for a Stormwater Quality Project, at a cost not to exceed \$65,520. [Div. of Water Quality, Martin]
- 12. 0139-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant to Friends of the Parks in Fayette County, Inc., for a Stormwater Quality Project, at a cost not to exceed \$38,475. [Div. of Water Quality, Martin]

13. **0140-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Federal Emergency Management Agency, for use of the Integrated Public Alert and Warning System. [Div. of Emergency Management, Dugger]
14. **0142-23** A Resolution rescinding Resolution No. 398-2022 and in its place resolving to authorize the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Hope Center, Inc., allocating \$2,000,000 of Federal Grant funds awarded pursuant to the American Rescue Plan Act of 2021 (ARPA) for the construction of a Transitional Housing addition, and authorizing the Mayor to execute any other necessary Agreements or Amendments related to the use of these funds. [Office of the Chief Administrative Officer, Wuorenmaa]
15. **0145-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 7 and a Modified Sunset Agreement with the Ky. Transportation Cabinet and the Lexington Community Land Trust, for the Newtown Pike Extension Project. [Div. of Engineering, Burton]
16. **0148-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant to Cardinal Valley Neighborhood Association, Inc., for a Stormwater Quality Project, at a cost not to exceed \$3,412.60. [Div. of Water Quality, Martin]
17. **0214-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Lexington and Fayette County Parking Authority to increase the parking rates paid for Urban County Government employees parking in the garages owned by the authority beginning on July 1, 2023. [Council Office, Maynard]

VIII. Resolutions – First Reading

18. **0168-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Education) Incentive Grant to Fayette County Public Schools Education Foundation Corporation, for a Stormwater Quality Project, at a cost not to exceed \$6,000. [Div. of Water Quality, Martin]

- 19. 0169-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to first United Methodist Church of Lexington, Ky., Inc., for Stormwater Quality Projects, at a cost not to exceed \$359,814. [Div. of Water Quality, Martin]
- 20. 0170-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept in-kind donation of books from the International Book Project for use the William Wells Brown, Dunbar, Castlewood, Kenwick, and Bates Creek Community Centers. [Div. of Parks and Recreation, Conrad]
- 21. 0171-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Revised Drainage Easement and Agreement for 4196 Weber Way with Atkins Homes LLC, for a drainage easement. [Div. of Engineering, Burton]
- 22. 0180-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easement, releasing a portion a drainage and sanitary sewer easement on the property located at 121 Sand Lake Dr. [Div. of Water Quality, Martin]
- 23. 0182-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a class A (Neighborhood) Incentive Grant to Neighbors United for South Elkhorn Creek, Inc., for a Stormwater Quality Project, at a cost not to exceed \$120,000. [Div. of Water Quality, Martin]
- 24. 0183-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to LCP Holdings, LLC, for a Stormwater Quality Project, at a cost not to exceed \$20,000. [Div. of Water Quality, Martin]
- 25. 0195-23** A Resolution authorizing the Div. of Fire and Emergency Services to purchase stretchers from Stryker Emergency Care, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Stryker Emergency Care, related to the procurement, at a cost not to exceed \$168,038.37. [Div. of Fire and Emergency Services, Wells]
- 26. 0196-23** A Resolution authorizing the Div. of Fire and Emergency Services to purchase inventory tracking software from Station Automation, Inc. (dba PSTrax), a sole source provider, and

- authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Station Automation, Inc. (dba PSTrax), related to the procurement, at a cost not to exceed \$36,000. [Div. of Fire and Emergency Services, Wells]
- 27. 0199-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept an additional award of \$112,647.91 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 in 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. [Div. of Parks and Recreation, Conrad]
- 28. 0200-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Amendment No. 1 to the Agreement with Strand Associates, Inc., for the East Lexington Trail Connectivity and Traffic Safety Study, to extend the performance period through June 30, 2023. [Div. of Planning, Duncan]
- 29. 0201-23** A Resolution authorizing the Div. of Fire and Emergency Services to purchase Lucas devices from Stryker, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Stryker, related to the procurement, at a cost not to exceed \$82,000. [Div. of Emergency Management, Dugger]
- 30. 0202-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2 to the Agreement with Lagco, Inc. for construction of the Meadows/Northland/Arlington Public Improvements Project, Phase 6B1 and 6B2, increasing the Contract price by \$147,110.64, raising the total price to \$2,772,879.64. [Div. of Engineering, Burton]
- 31. 0203-23** A Resolution approving, pursuant to KRS 62.055 and Section 22-55.1 of the Code of Ordinances, the bond with surety of Susan Lamb, County Clerk (\$400,000), and directing the Div. of Human Resources to record the bond with surety, along with a certified copy of this Resolution, in the Office of the Fayette County Clerk. [Div. of Human Resources, Walters]

- 32. 0204-23** A Resolution approving, pursuant to Section 22-55.1 the Code of Ordinances, the bond with surety of Andrea Welker, First District Constable (\$25,000); Jim McKenzie, Second District Constable (\$25,000); Edward Sparks, Third District Constable (\$25,000); Derek Talbert, Deputy Constable (\$10,000); Robert Berberich, Deputy Constable (\$10,000); James Smith, Deputy Constable (\$10,000); Matthew Hedges, Deputy Constable (\$10,000); and Dean Roberts, Deputy Constable (\$10,000); directing the Div. of Human Resources to record the bond with surety, along with a certified copy of this Resolution, in the Office of the Fayette County Clerk; and to provide payment to those officials seeking reimbursement for the cost of their bonds, in an amount not to exceed \$352.65, collectively. [Div. of Human Resources, Walters]
- 33. 0205-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to Centenary United Methodist Church, Inc., for Stormwater Quality Projects, at a cost not to exceed \$302,672. [Div. of Water Quality, Martin]
- 34. 0207-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 2 with the Ky. Transportation Cabinet, for the acceptance of Federal funds in the amount of \$408,000, for the construction phase of Mt. Tabor Rd. Multimodal Improvements Project, as funded under the Surface Transportation (SLX) Program for capital improvements projects, the acceptance of which obligates the Urban County Government for the expenditure of \$102,000 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget. [Div. of Grants and Special Programs, Reynolds]
- 35. 0208-23** A Resolution authorizing the Urban County Government to participate in the Kentucky Utilities (KU) Solar Share Program by purchasing twenty-four (24) solar capacity shares, at a cost not to exceed \$19,176. [Div. of Environmental Services, Carey]
- 36. 0209-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept in-kind donation of laptops from the United Health Care for the William Wells Brown Community Center. [Div. of Parks and Recreation, Conrad]
- 37. 0212-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Professional Services

- Agreement (awarded pursuant to RFP No. 69-2022) with Solar Energy Solutions, LLC, for installation of a roof-mounted solar photovoltaic system at Fire Station #9, at a cost not to exceed \$29,784.21. [Div. of Environmental Services, Carey]
- 38. 0215-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Consultant Services Agreement (awarded pursuant to RFP No. 01-2023), with Patrick D. Murphy Co., Inc., for professional design services for the Government Center Annex and Police Headquarters Roof Replacement Project, for the Dept. of General Services, at a cost not to exceed \$60,000. [Div. of Facilities and Fleet Management, Baradaran]
- 39. 0218-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 2 with the Ky. Transportation Cabinet, for the acceptance of Federal funds in the amount of \$141,093.00, for the construction phase of the Squires Rd. Sidewalk Project, as funded under the Congestion Mitigation and Air Quality (CMAQ) Program, the acceptance of which obligates the Urban County Government for the expenditure of \$35,273.25 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget. [Div. of Engineering, Burton]
- 40. 0219-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 4 with the Ky. Transportation Cabinet, for the acceptance of Federal funds in the amount of \$740,000, for the construction phase of the Wilson Downing Rd. Sidewalk Project, as funded under the Congestion Mitigation and Air Quality (CMAQ) Program, the acceptance of which obligates the Urban County Government for the expenditure of \$185,000 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget. [Div. of Engineering, Burton]
- 41. 0220-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreement Amendment with Educational Media Foundation, for radio tower lease, at a cost not to exceed \$21,920.16. [Div. of Enhanced 911, Patton]
- 42. 0224-23** A Resolution rescinding the Council's prior determination to preliminarily award \$6,000,000 in Federal funds (American Rescue Plan Act of 2021) to the Salvation Army (\$2,000,000) and the Lexington Farmer's Market (\$4,000,000), and allocating

\$1,000,000 of these funds to the Black & Williams Community Center Gymnasium Building Improvements Project, \$2,000,000 to the Office of Affordable Housing for affordable housing projects, \$1,000,000 to Phoenix Park Reimagined, and \$2,000,000 to the Community Land Trust for a proposed community center, and further authorizing the Mayor or her designee to take any additional necessary action related to these matters. [Office of the Chief Administrative Officer, Wuorenmaa]

- 43. 0239-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements related to Neighborhood Development Funds with Lex Project Prom Inc (\$1,100); Georgetown Street Area Neighborhood Association, Inc. (\$250); Open Door House Ministries, Inc. (\$250); and Sisters Rd. to Freedom, Inc. (\$400) for the Office of the Urban County Council, at a cost not to exceed the sums stated. [Council Office, Maynard]
- 44. 0211-23** A Resolution accepting the bid of Vogelpohl Fire Equipment, Inc., establishing a price contract for Self Contained Breathing Apparatus, for the Div. of Fire and Emergency Services. (1 Bid, Low) [Wells]
- 45. 0213-23** A Resolution accepting the bid of brown general Contractors LLC, in the amount of \$399,970, for Waste Transfer Station Repairs, for the Dept. of Environmental Quality & Public Works, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Brown General Contractors LLC, related to the bid. (4 Bids, Low) [Albright]
- 46. 0221-23** A Resolution accepting the bid of NAC Heavy Highway, Inc., in the amount of \$213,482, for the Jacks Creek Pike Improvement Project, for the Div. of Engineering, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with NAC Heavy Highway, Inc., related to the bid. (1 Bid) [Burton]
- 47. 0261-23** A Resolution accepting the bid of Unite Private Networks, LLC, in accordance with the provisions of Ordinance No. 69-2016, creating and offering for sale a franchise for the operation of a non-exclusive telecommunications (or related non-cable) system in Fayette County, and authorizing the Mayor, on behalf of the Urban County Government, to execute a Franchise Agreement with Unite Private Networks, LLC, incorporating the terms and conditions of Ordinance No. 69-2016. (1 Bid) [Slatin]

- 48. 0279-23** A Resolution ratifying the Permanent Classified Civil Service Appointments of: Kayse McMillian, Customer Service Specialist, Grade 511N, \$17.038 hourly in the Div. of LexCall, effective March 1, 2023, Christopher Stone, Staff Assistant Sr., Grade 511N, \$17.229 hourly in the Div. of Revenue, effective March 12, 2023, Madeline Shubirg, Laboratory Technician, Grade 516N, \$21.756 hourly in the Div. of Water Quality, effective February 22, 2023, Troy Ballard, Staff Assistant, Grade 509N, \$17.000 hourly in the Div. of Engineering, effective March 6, 2023, Alfred Wingate, Public Service Supervisor, Grade 516N, \$22.763 hourly in the Div. of Parks and Recreation, effective February 15, 2023; and ratifying the Permanent Sworn Appointments of: John Bardin, Police Lieutenant, Grade 317E, \$4,194.21 biweekly in the Div. of Police, effective January 18, 2023, Ronald Willis, Police Sergeant, Grade 315N, \$40.490 hourly in the Div. of Police, effective February 1, 2023. [Div. of Human Resources, Walters]
- 49. 0222-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Release of Easement, releasing a portion of a utility easement on the property located at 3509 Harper Woods Lane. [Div. of Water Quality, Martin]
- 50. 0223-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to Huber Real Estate No. 1, LLC, for Stormwater Quality Projects, at a cost not to exceed \$180,000. [Div. of Water Quality, Martin]
- 51. 0225-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Site Specific Agreement with the Jessamine South Elkhorn Water District and Cassity Family, LLC, to provide sanitary sewer conveyance and treatment capacity to the Turner Trace property in Jessamine County. [Div. of Water Quality, Martin]
- 52. 0226-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with the University of Ky., on behalf of its Community Innovation Lab, to evaluate the ONE Lexington Strategic Plan, at a cost not to exceed \$26,000. [Mayor's Office, Scott]
- 53. 0236-23** 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 Barnard Dr. Stormwater Improvements Project, at a cost not to exceed \$3,000. [Div. of Water Quality, Martin]

- 54. 0237-23** A Resolution authorizing and directing the Mayor, or her designee, on behalf of the Urban County Government, to approve and execute all Commitment Letters, Loan Agreements, Mortgages, Promissory Notes, Deed Restrictions, Releases, and any other documents related to the disbursement of Neighborhood Investment Funds, established in Chapter 2, Article XLV of the Code of Ordinances. [Office of Affordable Housing, McQuady]
- 55. 0238-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to Windswept Ventures, LLC, for Stormwater Quality Projects, at a cost not to exceed \$316,564.80. [Div. of Water Quality, Martin]
- 56. 0240-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit various Grant Applications to the Ky. Transportation Cabinet, to provide any additional information requested in connection with these Grant Applications, and to accept these Grants if these Grants are awarded, which Grant funds are in the amount of \$965,515 ((\$452,000 - FHWA Planning), (\$72,600 - Federal Transit Administration Section 5303), (\$440,915 - Surface Transportation Block Grant (SLX)) in Federal funds and \$28,250 in Commonwealth of Ky. funds, for FY 2024 Transportation Planning Activities under the Unified Planning Work Program (UPWP), the acceptance of which obligates the Urban County Government to the expenditure of \$213,129 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget. [Div. of Planning, Duncan]
- 57. 0241-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Energy and Environment Cabinet, Dept. of Environmental Protection, to provide any additional information requested in connection with this Grant Application, and to accept this Grant if awarded, which Grant funds are in the amount of \$102,000 in Commonwealth of Ky. funds, for the Dept. of Environmental Quality And Public Works - Div. of Waste Management, to support

- a one-day household hazardous waste recycling event, the acceptance of which obligates the Urban County Government to the expenditure of \$25,500 as a local match, and authorizing the Mayor to transfer encumbered funds within the Grant Budget. [Div. of Waste Management, Thurman]
- 58. 0243-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant to Waterford II Homeowners Association, Inc., for a Stormwater Quality Project, at a cost not to exceed \$40,000. [Div. of Water Quality, Martin]
- 59. 0250-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Strand Associates, Inc., for design of the salt dome and associated facilities at 1791 Old Frankfort Pike, at a cost not to exceed \$196,780. [Dept. of Environmental Quality and Public Works, Albright]
- 60. 0253-23** A Resolution amending Resolution No. 42-2022 to increase the cost of easement acquisition (and other property rights necessary) for the Wolf Run Main Trunk F Sanitary Sewer Project, a Remedial Measures Project required by the Consent Decree, from \$27,714 to \$134,614. [Div. of Water Quality, Martin]
- 61. 0254-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Amendment to an Agreement with Community Action Council for Lexington-Fayette, Bourbon, Harrison and Nicholas Counties, Inc., for administration of ONE Lexington's Gun Violence Prevention Grant Programming, in order to increase the total Contract cost by \$55,500, and extend the Agreement to December 31, 2023, with automatic renewal for one (1) year. [Mayor's Office, Scott]
- 62. 0256-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Town Branch Park, Inc. and Lexington Center Corporation, to memorialize the responsibilities of each party as it relates to roadway and pedestrian improvements to Town Branch Park, at no cost to the Urban County Government. [Mayor's Office, Peacher]
- 63. 0257-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Four (4)

to the Agreement with Pace Contracting for the Splash! at Charles Young Park Construction Project, increasing the Contract price by \$28,297.75 and raising the total Contract price to \$1,508,345.90, and extending the completion deadline to July 3, 2023. [Mayor's Office, Peacher]

- 64. 0258-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with iconectiv, LLC, for access to phone numbers database, at a cost not to exceed \$6,000. [Div. of Enhanced 911, Patton]
- 65. 0259-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Office of Homeland Security for acceptance of a Grant in the amount of \$52,700 Federal funds, under the FY 2022 State Homeland Security Grant Program, for the Div. of Fire and Emergency Services, in order to purchase approved FEMA courses, 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. [Div. of Fire and Emergency Services, Wells]
- 66. 0283-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements related to Neighborhood Development Funds with Ky. Lions Eye Foundation, Inc. (\$1,450); 16th District PTA Inc. c/o Hayes Middle School (\$350); Allegro Dance Project, Inc. (\$1,950); Sisters & Supporters Working Against Gun Violence Inc. (\$1,350); and On the Move Art Studio (\$1,575), for the Office of the Urban County Council, at a cost not to exceed the sums stated. [Council Office, Maynard]
- 67. 0269-23** A Resolution initiating for Planning Commission review and recommendation Zoning Ordinance Text Amendments to define Short Term Rental, Hosted Short Term Rental, and Un-Hosted Short Term Rental; to provide General Regulations for Short Term Rentals; to make Hosted Short Term Rentals an Accessory Use in Zones R-1A, R-1B, R-1C, R-1D, R-1E, R-1T, R-2, R-3, R-4, R-5, EAR-1, eaR-2, eaR-3, B-1, P-1, MU-1, MU-2, and MU-3; to make Hosted Short Term Rentals and Un-Hosted Short Term Rentals a principal use in zones B-2, B-2a, B-2b, B-4 (when part of an Adaptive Reuse Project, Industrial Reuse Project or Entertainment Mixed Use Project), I-1 (when part of an Adaptive Reuse Project, Industrial Reuse Project or Entertainment Mixed Use Project), I-2 (when part of an Adaptive Reuse Project, Industrial Reuse Project

or Entertainment Mixed Use Project), CC, B-6P, and MU-3; and to make Un-Hosted Short Term Rentals a Conditional Use in Zones R-1A, R-1B, R-1C, R-1D, R-1E, R-1T, R-2, R-3, R-4, R-5, EAR-1, EAR-2, EAR-3, B-1, P-1, MU-1, MU-2, and MU-3. [Council Office, Maynard]

- 68. 0292-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Letter of Engagement to retain the professional services of Dean Dorton Allen Ford, PLLC (awarded pursuant to RFP No. 3-2023), to conduct an audit of utility franchise fee revenues received from Ky. Utilities Co., Columbia Gas of Ky., Inc., and Bluegrass Energy Cooperative Corporation, and to enter into a Letter of Engagement related to the services at a cost not to exceed \$47,000 (FY2023); and authorizing the Mayor or her designee to enter into any related Agreements. [Council Office, Maynard]

IX. Communications From The Mayor (Appointments)

- 0272-23** (1) Recommending the appointment of Hannah LeGris, Councilmember, filling the unexpired term of Councilmember James Brown, to the Affordable Housing Governing Board, with term expiring December 31, 2026;
- (2) Recommending the reappointment of Hartley Feld, Licensed Nurse, to the Board of Health, with term expiring June 30, 2025;
- (3) Recommending the appointment of Jamye Wilkerson to the Dunbar Neighborhood Center Board, with term expiring March 1, 2027;
- (4) Recommending the appointment of Terona Cobble-Johnson to the Homelessness Prevention and Intervention Board, with term expiring October 1, 2026, and the removal of Adrian Wallace for the reason of non-responsiveness;
- (5) Recommending the appointment of Carrington Walker, University/K-12 Representative, to the Lyric Theatre and Cultural Arts Center Board of Directors, with term expiring December 8, 2026; and,
- (6) Recommending the appointment of Jill Farfan, Architect Design Professional, Craig Rushing, Architect Design Professional, filling the unexpired term of James Burris and Andrew Walls, Licensed Civil Engineer, the reappointment of Jim Clark, Arts Administration Professional, and the seat reassignment of Edd Mackey, Arts Administration Professional, to the Public Arts Commission, with terms expiring December 31, 2026, December 31, 2024, December 31, 2026, December 31, 2026, and December 31, 2023, respectively.

X. Communications From The Mayor (Price Contracts)**0265-23**

(1) Accepting and approving the following bids and establishing price contracts for the following Depts. or Divs. as to the specifications and amount set forth in the terms of the respective bids:

(a) Div. of Waste Management - Vinyl Graphic Signs 167-2022 - Image360 Lexington dba Commercial Services, Inc.;

(b) Div. of Waste Management - Open Top Containers 18-2023- Wastequip Manufacturing Company, LLC and Stringfellow, Inc.;

(c) Div. of Traffic Engineering - Aesthetic Crosswalk Treatments 20-2023 - Central Seal Company;

(d) Div. of Fleet Services - Mini Dump Body with Snow Equipment 23-2023 - Meyer Truck Equipment;

(e) Div. of Traffic Engineering - Flashing Pedestrian Beacon Remote Operation Equipment 24-2023 - Path Master, Inc.;

(f) Div. of Parks & Recreation - Wood Fiber Safety Surface 12-2023 - Old Glory Resources, Inc.;

(g) Div. of Environmental Services - Mowing for Environmental Services 2-2023 - Brownfields Development LLC, CCM Contractors LLC dba Casey's Custom Mowing, DT Property Maintenance, Happy's General Contracting, Holt's Lawn and Landscaping LLC, Lexington Landscape & Maintenance LLC, Wright's Home Improvement & Mowing LLC, Bluegrass Lawn Care LLC, D & M Mowing Inc & Tree Contracting, Green Solutions Landcare, H & W Concrete LLC;

(h) Div. of Code Enforcement - Nuisance Abatement Supplemental 11-2023 - RCI Property Management Inc and Wright's Home Improvement & Mowing LLC;

(i) Div. of Engineering - Construction Unit Price Contract 9-2023 - L & M Asphalt Partners LTD dba ATS Construction, Bluegrass Contracting Corporation, Advanced Mulching Technologies Inc. dba EcoGro, H & W Concrete LLC, Sensabaugh Design & Construction LLC, The Allen Company, Tom Chestnut Excavation & Construction LLC, Woodall Construction Company Inc.; and,

(j) Div. of Facilities Management - Environmental Abatement Services 16-2023 - National Environmental Contracting Inc.

XI. Communications From The Mayor (For Information Only)**0280-23**

(1) Probationary Classified Civil Service Appointment of Zachary Vogl, Budget Analyst, Grade 521N, \$30.770 hourly in the Div. of Budgeting, effective March 20, 2023;

- (2) Probationary Classified Civil Service Appointment of Christine Thomas, Revenue Manager, Grade 524E, \$2,778.08 biweekly in the Div. of Revenue, effective February 13, 2023;
- (3) Probationary Classified Civil Service Appointment of Rusty Kettenring, Technical Specialist, Grade 516N, \$23.504 hourly in the Div. of Computer Services, effective March 6, 2023;
- (4) Probationary Classified Civil Service Appointment of Clarence McCoy, Public Service Worker Sr., Grade 510N, \$17.488 hourly in the Div. of Streets and Roads, effective February 20, 2023;
- (5) Probationary Classified Civil Service Appointment of Avshalom Chayim, Security Officer, Grade 510N, \$16.005 hourly in the Dept. of Public Safety, effective March 13, 2023;
- (6) Probationary Classified Civil Service Appointment of Leroy Thomas, Security Officer, Grade 510N, \$17.778 hourly in the Dept. of Public Safety, effective March 6, 2023;
- (7) Probationary Classified Civil Service Appointment of Melissa Lindsey, Child Care Program Aide, Grade 510N, \$16.754 hourly in the Div. of Family Services, effective March 20, 2023;
- (8) Probationary Classified Civil Service Appointment of Marianita Sanchez, Eligibility Counselor, Grade 514N, \$20.460 hourly in the Div. of Community & Resident Services, effective March 13, 2023;
- (9) Probationary Classified Civil Service Appointment of Hannah Crepps, Planner Sr., Grade 523N, \$30.865 hourly in the Div. of Planning, effective February 27, 2023;
- (10) Probationary Classified Civil Service Appointment of Boyd Sewe, Planner Sr., Grade 523N, \$31.731 hourly in the Div. of Planning, effective March 13, 2023;
- (11) Probationary Community Corrections Officer Appointment of Cheryl Kelley, Community Corrections Officer, Grade 110N, \$24.209 hourly in the Div. of Community Corrections, effective February 20, 2023;
- (12) Probationary Community Corrections Officer Appointment of Benjamin Cave, Community Corrections Officer, Grade 110N, \$24.209 hourly in the Div. of Community Corrections, effective March 6, 2023;
- (13) Probationary Community Corrections Officer Appointment of Robert Garrett, Community Corrections Officer, Grade 110N, \$24.209 hourly in the Div. of Community Corrections, effective March 6, 2023;
- (14) Probationary Community Corrections Officer Appointment of Jeramie Waak, Community Corrections Officer, Grade 110N, \$24.209 hourly in the Div. of Community Corrections, effective March 6, 2023;

- (15) Probationary Community Corrections Officer Appointment of Nancy Erwin, Community Corrections Officer, Grade 110N, \$24.209 hourly in the Div. of Community Corrections, effective March 6, 2023;
- (16) Probationary Community Corrections Officer Appointment of Aaron McIntosh, Community Corrections Officer, Grade 110N, \$24.209 hourly in the Div. of Community Corrections, effective March 6, 2023;
- (17) Probationary Community Corrections Officer Appointment of Jamie Jones, Community Corrections Officer, Grade 110N, \$24.209 hourly in the Div. of Community Corrections, effective March 6, 2023;
- (18) Probationary Community Corrections Officer Appointment of Matthew Ballie, Community Corrections Officer, Grade 110N, \$24.209 hourly in the Div. of Community Corrections, effective March 6, 2023;
- (19) Probationary Community Corrections Officer Appointment of Dalton Harvey, Community Corrections Officer, Grade 110N, \$24.209 hourly in the Div. of Community Corrections, effective March 6, 2023;
- (20) Probationary Community Corrections Officer Appointment of Tina Berry, Community Corrections Officer, Grade 110N, \$24.209 hourly in the Div. of Community Corrections, effective March 6, 2023;
- (21) Probationary Community Corrections Officer Appointment of Truston Romans, Community Corrections Officer, Grade 110N, \$24.209 hourly in the Div. of Community Corrections, effective March 6, 2023;
- (22) Unclassified Civil Service Appointment of Zach Grounds, Public Works Apprentice, Grade 504N, \$15.659 hourly in the Div. of Streets and Roads, effective March 13, 2023;
- (23) Unclassified Civil Service Appointment of Patrick Philpot, Treatment Plant Operator-Apprentice II, Grade 512N, \$19.584 hourly in the Div. of Water Quality, effective January 9, 2023;
- (24) Unclassified Civil Service Appointment of Grant Leonard, Security Officer P/T, Grade 510N, \$16.230 hourly in the Dept. of Public Safety, effective March 13, 2023;
- (25) Unclassified Civil Service Appointment of Eric Weathers, Educational Program Aide P/T, Grade 510N, \$16.544 hourly in the Div. of Youth Services, effective March 13, 2023;
- (26) Classified Civil Service Temporary Appointment of Shanreka Shackelford, Youth Advocacy Officer, Grade 523E, \$2,369.38 biweekly in the Dept. of Social Services, effective March 13, 2023;

- (27) Unclassified Civil Service Appointment To The Office Of The Urban County Council of Tiffany Duncan, Aide to Council, Grade 518E, \$2,500.00 biweekly in the Office of the Urban County Council, effective February 27, 2023;
- (28) Resignation of Connie Rayford, Park Ambassador, in the Div. of Parks and Recreation, effective February 18, 2023;
- (29) Resignation of Dacoby Burnett, Resource Recovery Operator, in the Div. of Waste Management, effective February 3, 2023;
- (30) Resignation of Keri Allen, Administrative Specialist, Sr., in the Div. of Aging and Disability, effective February 9, 2023;
- (31) Resignation of Sally Lambert-Warfield, Staff Assistant, Sr., in the Div. of Water Quality, effective February 15, 2023;
- (32) Resignation of Kenneth Smith, Public Service Worker Sr., in the Div. of Water Quality, effective February 24, 2023;
- (33) Resignation of Patricia Slaughter, Service Dispatcher, in the Div. of Waste Management, effective February 10, 2023;
- (34) Resignation of Nicholas Blaida, Safety Officer, in the Div. of Police, effective February 4, 2023;
- (35) Resignation of Elodie Dickinson, Workforce Development Manager, in the Office of the Chief Development Officer, effective February 24, 2023; and,
- (36) Resignation of Tiffany Fosson, Police Officer, in the Div. of Police, effective February 9, 2023;
- (37) Resignation of Brandon Holbrook, Police Officer, in the Div. of Police, effective February 26, 2023;
- (38) Resignation of Willie Booker, Eligibility Counselor, in the Div. of Community & Resident Services, effective February 10, 2023;
- (39) Resignation of Joyce Rifenbark, Telecommunicator Sr., in the Div. of Enhanced 911, effective February 10, 2023;
- (40) Resignation of Clayton Brown, Aide to Council, in the Council Office, effective February 10, 2023;
- (41) Resignation of Joseph Crowe, Fire Recruit, in the Div. of Fire and Emergency Services, effective February 17, 2023; and,
- (42) Resignation of Adam Bwesi Ntedika, Police Officer- Trainee, in the Div. of Police, effective February 1, 2023.

XII. Fire/Police Discipline - YES

XIII. Announcements

XIV. Public Comments

Adjournment