

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, October 17, 2023

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**Lexington-Fayette Urban County Council
Schedule of Meetings
October 16, 2023-October 23, 2023**

Monday, October 16

No Meetings

Tuesday, October 17

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

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

Council Meeting: Public Hearing Zone Change.....5:00 pm
Council Chamber – 2nd Floor Government Center

Wednesday, October 18

No Meetings

Thursday, October 19

Corridors Commission Meeting.....12:00 pm
Conference Room – 5th Floor Government Center

Gun Violence Task Force: City Leaders2:30 pm
Central Library, 140 E. Main St., 2nd Floor, Meeting Room B

Gun Violence Task Force: Community Pillars6:00 pm
Central Library, 140 E. Main St., 2nd Floor, Meeting Room B

Friday, October 20

No Meetings

Monday, October 23

No Meetings

**Lexington-Fayette Urban County Council
Work Session Agenda
October 17, 2023**

- I. Public Comment - Issues on Agenda**
- II. Requested Rezoning/ Docket Approval - No**
- III. Approval of Summary – Yes, p. 1-2**
 - a** Table of Motions: Council Work Session, October 10, 2023
- IV. Budget Amendments - No**
- V. Budget Adjustments - For Information Only - No**
- VI. New Business – Yes, p. 3-10**
- VII. Continuing Business/ Presentations**
 - a** Neighborhood Development Funds: October 17, 2023, p. 11
 - b** Council Capital Projects: October 17, 2023, p. 12
 - c** Summary: General Government and Planning Commission, September 19, 2023, p. 13-15
- VIII. Council Reports**
- IX. Mayor's Report - No**
- X. Mayor's Report - Price Contract Bid Recommendations - No**
- XI. Public Comment - Issues Not on Agenda**
- XII. Adjournment**

Administrative Synopsis - New Business Items

- a** **0947-23** Authorization to amend Resolution 246-2023 for merchant processing at the City Employee Pharmacy to add the ability for the mayor's designee to sign the agreement and to approve additional funds in the amount of \$2,000 for the purchase of replacement equipment and other platform fees. The original contract was approved on July 13, 2023. Funds are budgeted. (L0947-23) (Holbrook/Hensley), p. 3
- b** **1040-23** Authorization of the fee simple partial property acquisition of approximately 2.16 acres on 827 Lane Allen Rd. and 3.15 acres on 1900 Garden Springs Dr. for the Allendale Drive Stormwater Project. The cost of this acquisition is \$223,400.00 excluding typical closing costs and recording fees. Funds are budgeted. (L1040-23) (Martin/Albright), p. 4-5
- c** **1043-23** Authorization for the purchase of SCADA Citect/Historian Support for the Division of Water Quality Operations from ATR Automation, a sole source provider, for SCADA installed at Town Branch WWTP, West Hickman WWTP and Pump Stations, at a cost of \$56,587. Funds are budgeted. (L1043-23) (Martin/Albright), p. 6
- d** **1049-23** Authorization to execute a Purchase of Service Agreement with the Lyric Theatre and Cultural Arts Center for FY 2024 to support the Lyric Theatre's arts and cultural programming and presentations and to facilitate and support collaborations between the Lyric Theatre and community organizations, at a cost of \$127,500. Funds are budgeted. (L1049-23) (Lyons/Scott), p. 7
- e** **1053-23** Authorization to submit a grant application and accept an award, if offered, to the Kentucky Justice and Public Safety for the 2020 Project Safe Neighborhood (PSN) grant in the amount of \$95,164. There are no matching funds required. (L1053-23) (Weathers/Armstrong), p. 8
- f** **1054-23** Authorization to submit an application and accept an award, if offered, to the Kentucky Cabinet for Health and Family Services (CHFS), Kentucky Department for Medicaid Services under the Kentucky Community Crisis Co-Response Grant Program in the total amount of \$775,000 to create a co-response team. The acceptance obligates the Urban County Government to \$75,000 in local match. A budget amendment will be completed if approved. (L1054-23) (Wells/Armstrong), p. 9
- g** **1056-23** Authorization to execute an agreement with Quality Counts, LLC (QC), pursuant to RFP No. 39-2023, to evaluate roadway curves along city streets and county roads to ensure all curves meet the Manual on Uniform Traffic Control Devices (MUTCD) latest edition requirements for regulatory and advisory signs, at a cost to not exceed \$137,500. Funds are budgeted. (L1056-23) (Neal/Albright), p. 10

**URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
October 10, 2023**

Mayor Gorton called the meeting to order at 3:07pm. Vice Mayor Wu, Council Members J. Brown, Ellinger, Fogle, Lynch, LeGris, Monarrez, Sheehan, Gray, Worley, Baxter, Seigny, Reynolds, and Plomin were present. Council Member F. Brown was absent.

I. Public Comment – Issues on Agenda

II. Requested Rezonings/Docket Approval

Motion by Wu to approve the Thursday, October 12, 2023 Council Meeting docket. Seconded by Fogle. Motion passed without dissent (as amended).

Motion by Sheehan to place on the docket for the Council Meeting on October 12, 2023, an Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$96,092 to provide funds for Council Capital Projects in the Divisions of Parks And Recreation, Environmental Services, And Traffic Engineering, and appropriating and re-appropriating funds, schedule no. 0020. Seconded by Reynolds. Motion passed without dissent.

III. Approval of Summary

Motion by Plomin to approve the September 26, 2023 work session summary. Seconded by LeGris. Motion passed without dissent.

IV. Budget Amendments

Motion by Wu to approve Budget Amendments. Seconded by Baxter. Motion passed without dissent.

V. Budget Adjustments – For Information Only

VI. New Business

Motion by Ellinger to approve New Business. Seconded by Gray. Motion passed without dissent.

VII. Continuing Business/Presentations

Motion by Baxter to approve Neighborhood Development Funds, October 10, 2023. Seconded by Wu. Motion passed without dissent (as amended).

Motion by Sheehan to amend the Neighborhood Development Funds List to allocate an additional \$300.00 to Castlegate Maintenance Association, for a new total allocation of \$1,450.00, for power washing of brick fence in the neighborhood. Seconded by J. Brown. Motion passed without dissent.

Reynolds provided a summary of the August 22, 2023 Social Services and Public Safety Committee meeting. There were no motions to report from the meeting.

VIII. Council Reports

IX. Mayor's Report

Motion by Gray to approve the Mayor's Report. Seconded by Fogle. Motion passed without dissent.

X. Mayor's Report – Price Contract Bid Recommendations

XI. Public Comment – Issues Not on Agenda

XII. Adjournment

Motion by Fogle to adjourn at 4:04 pm. Seconded by Baxter. Motion passed without dissent.

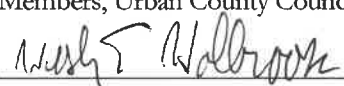
MAYOR LINDA GORTON



LEXINGTON

ERIN HENSLEY
COMMISSIONER
FINANCE

TO: Mayor Linda Gorton
Members, Urban County Council

FROM: 
Wesley Holbrook, Director of Revenue

DATE: October 9, 2023

SUBJECT: Amend Resolution for merchant processing at the City Employee Pharmacy

Request

Authorization to amend resolution R-246-2023 for merchant processing at the City Employee Pharmacy to add the ability for the mayor's designee to sign the agreement and additional funds for the purchase of replacement equipment and other platform fees.

Why are you requesting?

The City Employee Pharmacy is operated by On-Site Rx. Payments made through credit card processing are deposited directly to LFUCG. The current processor is exiting and a new processor that implements with their software is necessary. The contract was initially approved on July 13, 2023.

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

The cost for this FY is: \$2000 and additional variable expense based on volume

The cost for future FY is: \$2000 and additional variable expense based on volume

Are the funds budgeted?

The funds are budgeted

Account number: 6002-160504-1841-78701

File Number: 0947-23

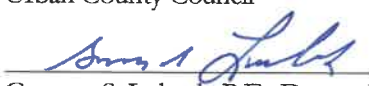
Director/Commissioner: Wesley Holbrook/Erin Hensley



MAYOR LINDA GORTON

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

TO: Mayor Linda Gorton
Urban County Council

FROM: 
Gregory S. Lubeck, P.E., Deputy Director
Division of Water Quality

DATE: October 2, 2023

SUBJECT: Partial Property Acquisitions of 827 Lane Allen Rd. and 1900 Garden Springs Dr.

Request

The purpose of this memorandum is to request a resolution authorizing the fee simple partial property acquisition of approximately 2.16 acres on 827 Lane Allen Rd. and approximately 3.15 acres on 1900 Garden Springs Dr. The cost of this acquisition is \$223,400 excluding typical closing costs and recording fees.

Purpose of Request

The requested resolution will provide funds for the acquisition of a portion of 827 Lane Allen Rd. and 1900 Garden Springs Dr. Acquisition of this site will allow construction of stormwater improvements on the property.

This acquisition will create a Minor Subdivision and Consolidation Plat. The plat will consolidate the partial acquisitions with a currently LFUCG owned parcel, creating a single parcel containing approximately 7.81 acres.

Project Cost in FY24 and Future Budget Years

The partial parcel acquisition cost is \$223,400 in FY24. Future project costs will be determined during design and funds requested in a future fiscal year.

Are Funds Budgeted

Funds are budgeted in 4052 303204 3334 92211 WR_SOUTHLAND CONSENT_DE BR 2020

Director / Commissioner

Martin / Albright



Allendale Drive Stormwater Improvements

1040-23

Project Location Map

MAYOR LINDA GORTON



LEXINGTON

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

TO: Mayor Linda Gorton
Urban County Council

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

DT: October 9, 2023

RE: Sole Source purchase from ATR Automation, the provider of Supervisory Control and Data Acquisition (SCADA) Citect/Historian Support for the Division of Water Quality Operations Control.

Request

The purpose of this memorandum is to request approval of a purchase of SCADA Citect/Historian Support for The Division of Water Quality Operations from ATR Automation, the Sole Source provider for the SCADA installed at Town Branch WWTP, West Hickman WWTP and Pump Stations located throughout the service area.

Purpose of Request

SCADA allows for the monitoring and control of both Town Branch and West Hickman Wastewater Plants and for monitoring of over eighty (80) pump stations locations throughout the service area. This purchase provides for the continued maintenance and support of the software associated with those systems.

Project Cost in FY24 budget year and future budget years

The cost for the Division of Water Quality for SCADA maintenance is \$56,587.20. The funds are budgeted in 4002-303401-3401-76102.

Director/Commissioner
Martin/Albright



MAYOR LINDA GORTON

**LEXINGTON**

SALLY HAMILTON

CHIEF ADMINISTRATIVE OFFICER

TO: Mayor Linda Gorton
Urban County Council Members

FROM: Heather Lyons, Mayor's Office

CC: Tyler Scott, Chief of Staff

DATE: October 5, 2023

SUBJECT: PSA for Lyric Theatre

Authorization to: Provide funding support to Lyric Theatre

Why are you requesting? To support the Lyric Theatre's arts and cultural programming and presentations and to facilitate and support collaborations between the Lyric Theatre and community organizations.

Department needs this action completed because: The Lyric Theatre provides a unique and necessary role in the community through access to and programming in the theatre, galleries, community rooms, and more.

What is the cost in this budget year and future budget years? The cost for FY24 is \$127,500.

Are the funds budgeted? YES

Account number: 1101-900107-0001-71101

File Number: 1049-23

Director/Commissioner: Heather Lyons



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: OCTOBER 6, 2023

**SUBJECT: Grant Application for 2020 Project Safe Neighborhood (PSN) to Kentucky
Justice and Public Safety**

Request: Council authorization to submit a grant application and accept award if offered to the Kentucky Justice and Public Safety for the 2020 Project Safe Neighborhood (PSN) grant in the amount of \$95,164. There are no matching funds required.

Purpose of Request: The Lexington Police will be part of the Project Safe Neighborhoods Task Force, which includes US Attorney's Office, ATF, DEA, FBI, ICE, Marshal's Service, Federal Probation & Parole, the KY State Police, State Probation and Parole, the Commonwealth's Attorney, County Attorney, Fayette County Sheriff's Office and Fayette County School Police. The PSN Task Force will increase information sharing and collaboration to identify the violent offenders most likely to continue to engage in violent crime, and then develop proactive investigations and post-arrest coordination to prevent further acts of violence and maximize investigative outcomes.

Lexington Police will use funds for equipment and overtime for targeted enforcement and surveillance on gun, drug, gangs and assaultive related crime in prioritized areas.

What is the cost in this budget year and future budget years? \$95,164 in 2021 PSN grant funds will be available in Fiscal Year 2024. No matching funds are required. Total project cost is \$95,164. Future years funding is dependent upon availability of grant funding.

Are the funds budgeted? Budget amendment will be completed if awarded.

File Number: 1053-23

Director/Commissioner: Weathers/Armstrong





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

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

DATE: OCTOBER 6, 2023

**SUBJECT: Submission of grant to the Kentucky Department of Medicaid Services for the
Lexington Fire Department and Lexington Police Department**

Request: Council authorization to submit an application and accept an award if offered to the Kentucky Cabinet for Health and Family Services (CHFS), Kentucky Department for Medicaid Services under the Kentucky Community Crisis Co-Response Grant Program in the total amount of \$775,000 to create a co-response team. The acceptance obligates the Urban County Government to \$75,000 in local match.

Why are you requesting? The Kentucky Department of Medicaid Services has provided a notice of funding opportunity that would allow for the City of Lexington to create a co-response model. This co-response would partner a first responder (police officer or firefighter/paramedic) with a behavioral health resource (peer support, certified social worker, etc.) to respond to calls for service in our community. This resource would enable the right resource to be available to our first responders at the right time in the right place with the intention to provide the best option for members of our community.

What is the Cost in this budget year and future budget years? Cost in FY24 is \$775,000. LFUCG is required to provide match of \$75,000 and will be requested in FY2025 budget. Total cost in budget is \$850,000. If the grant application is awarded and accepted, funds will be awarded in the following amounts:

Grant Year & Match %	CHFS Share	Local Share	Total
Planning (0%)	\$100,000	\$0	\$100,000
Year 1 (90/10)	\$225,000	\$25,000	\$250,000
Year 2 (90/10)	\$225,000	\$25,000	\$250,000
Year 3 (90/10)	\$225,000	\$25,000	\$250,000
	\$775,000	\$75,000	\$850,000

Future years funding is dependent upon availability of grant funding.

Are the funds budgeted? A budget amendment will be completed if approved.

File Number: 1054-23

Director/Commissioner: Wells/Armstrong



MAYOR LINDA GORTON



LEXINGTON

JEFFERY NEAL
DIRECTOR
TRAFFIC ENGINEERING

TO: Mayor Linda Gorton
Urban County Council

FROM: 
Jeffery Neal, Director
Division of Traffic Engineering

DATE: October 9, 2023

SUBJECT: Horizontal Curve Warning Classification Project – Quality Counts, LLC (QC)

Request

Authorization to enter into an agreement with Quality Control, LLC (QC) to evaluate approximately 1,100 centerline miles of city streets and county roads to ensure all horizontal curves are signed according to current regulations.

Why are you requesting?

A comprehensive review of all horizontal curves is necessary to make sure guidance for regulatory and advisory signs in the Manual on Uniform Traffic Control Devices (MUTCD) is being adhered to. The method used by QC is systematic, consistent, and reduces the chance of human error.

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

The cost for this FY is: \$137,500

The cost for future FY is: \$ 0.00

Are the funds budgeted?

Yes. 1136-303602-3604-71207, Horizontal Curve Warning Classification Project

File Number: 1056-23

Director/Commissioner: Neal/Albright



Neighborhood Development Funds
October 17, 2023
Work Session

Amount	Recipient	Purpose
\$ 900.00	Bluegrass Families First Travis Young P.O Box 1663 Lexington, KY 40588	For sponsorship of the Annual Jean Sabharwal Award Luncheon
\$ 1,350.00	AHSANS Nonprofit Initiative Corporation Deborah Hodge P.O Box 12475 Lexington, KY 40583	To assist with efforts to make art more accessible to children and mitigate gun violence through artistic endeavors

**Council Capital Projects
October 17, 2023
Work Session**

Amount	Recipient	Purpose
\$ 10,000.00	LFUCG Traffic Engineering Jim Woods 1105-303602-3606-91613	For traffic calming measures in the 11th District
\$ 28,000.00	LFUCG Traffic Engineering Brian Knapp 1105-303602-3606-91613	For the right in - right out project at Brigadoon Parkway



General Government and Planning Committee

September 19, 2023

Summary and Motions

Chair Worley called the meeting to order at 1:01 p.m. Vice Mayor Wu and Committee Members J. Brown, Ellinger, Lynch, LeGris, Sheehan, Baxter, Reynolds, Plomin were in attendance. Council Members Fogle, Gray, and Sevigny were also present as non-voting members.

I. August 15, 2023 General Government and Planning Committee Summary

Motion by Baxter to approve the August 15, 2023 GGP Committee Summary. Seconded by Sheehan. Motion passed without dissent.

II. Lexington History Museum Annual Update

Tim Burcham presented on the Lexington History Museum. Burcham shared the success the History Museum has had over the last year on creating a fundraising plan and rebuilding their donor base. They have established a new corporate sponsorship program and a donor recognition program. LFUCG contributions made it possible to have a new museum location at the Thomas Hunt Morgan house. The History Museum has hired a new Executive Director, Dr. Amanda Higgins. They also hired a new Collections and Exhibit Manager, Katrina Dixon.

The History Museum is working on consolidating their collections in storage. LexHistory has started the Lexington History Collective - an initiative to connect diverse and inclusive groups that collect, preserve, and exhibit unique aspects of Lexington's history. They have also formed the LexHistory Partnership Council, an advisory group that will provide input and support for the museum's strategic direction and growth. LexHistory is looking forward to their involvement in celebrating the 250th Anniversary of Lexington's creation in 2025.

No action was taken on this item.

III. Council Rules and Procedures Report-Out

Council Member Baxter provided a brief summary of the presentation that took place at the September 19th, 2023 GGP Committee meeting.

Motion by Baxter to amend Council Rules and Procedures Ordinance and remove the seating chart, seconded by Plomin, the motion passed without dissent.

Motion by Baxter to amend Council Rules and Procedures and remove social media best practices, seconded by Lynch, the motion passed without dissent.

Motion by Baxter to approve Council Rules and Procedures, seconded by Reynolds, the motion passed without dissent.

Motion by Sheehan to amend Council Rules and Procedures to add “send meeting notices” as section o to Chapter 1, section 1.201 under Council Administrator, seconded by Plomin, the motion passed without dissent.

Motion by Sheehan to amend Council Rules and Procedures to add a next step graphic in section 2.201, seconded by Baxter, the motion passed without dissent.

Motion by Sheehan to amend Council Rules and Procedures to add “postpone” to 3.104 section 4, D, seconded by Baxter, the motion passed without dissent.

Motion by Sheehan to amend Council Rules and Procedures to change all references of “citizen” to “resident” throughout the document with the exclusion of references to the Citizen’s Advocate, seconded by Reynolds, the motion passed without dissent.

Motion by Sheehan to amend Council Rules and Procedures to change language under supplement D, Council Best Practices, Section 2, D.201 from “first Sunday of January” to “by the first Sunday before their term begins”, seconded by Baxter, the motion passed without dissent.

Motion by Baxter to amend Sheehan’s motion to change language under supplement D, Council Best Practices, Section 2, D.201 from “by the first Sunday before their term begins” to “by the first day of their term”, seconded by Wu, the motion passed without dissent.

Motion by Baxter to approve Council Rules and Procedures as amended, seconded by Reynolds, the motion passed without dissent.

IV. Disparity Study Analysis

This presentation was provided by Sherita Miller, Minority Business Enterprise Liaison. The purpose of this study was to review the participation, availability, and disparities in businesses; conduct an analysis of marketplace conditions; collect qualitative and anecdotal information; provide policy and program recommendations; and legal compliance guidance. There are 11 aspects of the disparity study; project management, community engagement, legal framework and analysis, review of contracting, data collection, utilization analysis, availability analysis, disparity analysis, analysis of marketplace, anecdotal evidence, and recommendations.

Overall utilization shows approximately 12% of 55 million dollars were accessed by minority owned businesses. Overall availability shows that 16.5% of 460 million dollars were allocated to diverse recipients. Analysis shows there is a disparity of participation for minority and woman-owned businesses including; non-Hispanic owned, white woman-owned, Black American-owned, and Native American-owned businesses.

Disparity index is measured by dividing dollars received by dollars available times 100. A value of 80 or less indicates substantial underutilization. Disparity is found in minority and woman-owned, non-Hispanic white woman-owned, Black American-owned, and Native American-owned businesses across industry, contract size, and contact role.

To address the disparities found, BBC recommends the following race/gender neutral measures: prompt payment, advertising and outreach, subcontracting minimums, unbundling large contracts, small business set-asides, supportive services, and data collection/monitoring. For race/gender conscious measures the following are recommended: set contract goals and price evaluation preferences.

A discussion ensued regarding next steps. \$120,000 has been budgeted to begin implementation and then Procurement will come back to this Committee to ask for approval or recommendations. Of the 7 recommendations presented, Procurement already addresses 4 of them. The need for supportive services and to implement the gender/race conscious recommendations was emphasized. Procurement Director Slatin shared that the long-term need is a new employee to help implement this program. Post-implementation plan is covered under the contract with the BBC consultants.

No action was taken on this item.

V. ADU Update

Planning Manager, Chris Taylor, and Planner Principal, Autumn Goderwis presented on this item. Since the ADU ordinance was passed a year ago, 5 permitted ADUs have been completed or are still under construction - 4 detached conversions and 1 addition previously permitted by BOA. There was an initial concern that detached units would be constructed everywhere but instead a trend in ADU alternatives like multi-generational shared living, wet bars, and entertainment kitchens has been seen.

The current ordinance does not give guidance on the number of kitchens you can have and defines them as, "equipment arranged in a room or some other space in a structure which facilitates the preparation of food, including, but not limited to a combination of two or more of the following: a range, microwave oven, dishwasher, kitchen sink, or refrigerator". 58 second kitchens have been approved since this ordinance passed.

Although not related to ADUs, it is significant because it is highly desired and needs a clear set of parameters for defining accessory living quarters, kitchen facilities, wet bars, and location/connectivity requirements. Goals of proposed text amendment: more support for intergenerational living, more support for aging in place, and greater long-term housing affordability options.

Problems with current zoning ordinance: administrative issues, burdensome administrative regulations that dissuade ADUs, and regulatory preference for Commercial uses in a residential zone. Proposed revised text will update definitions for accessory living quarters and kitchen facilities, modify special provisions to allow new detached ADU's, and modify use of an ADU as a Short-Term Rental (STR) for consistency with new STR regulations.

The proposed text will also modify special provisions to eliminate requirements for owner occupancy, deed restriction, and to allow new detached ADUs. If these changes are not made it will continue to burden residents seeking low-impact improvements to their existing homes and continue to make ADUs difficult to build and will not impact demand for STRs. Under existing regulations, STRs remain easier and more lucrative than ADU's. Not making these changes misses an opportunity to encourage investment in neighborhoods that supports long-term housing and maintains a housing policy that prioritizes STR's in residential zones over affordable long-term housing options. This ZOTA is being considered by the Planning Commission at their October meeting and will come back to Council for review in November or December.

No action was taken on this item.

VI. Adjournment

Motion by Worley to adjourn at 2:55 p.m. Seconded by Plomin. Motion passed without dissent.