

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Docket

Thursday, November 2, 2023

6:00 PM

Council Chambers

Urban County Council

I. Roll Call**II. Invocation****III. Presentations**

- 0915-23** YMCA Black Achievers Government Day
- 1137-23** Irish Dance Champions - Celli Academy
- 1138-23** Recognition of Lafayette High School Band

IV. Ordinances – Second Reading

- 1. 1068-23** An Ordinance changing the zone from a Wholesale and Warehouse Business (B-4) zone to a Planned Neighborhood Residential (R-3) zone, for 2.668 net (3.103 gross) acres, for property located at 2833 & 2853 Liberty Rd. (Liberty Park Development, LLC; Council District 6). Approval 8-0 (**To Be Heard By December 27, 2023**) [Div. of Planning, Duncan]
- 2. 1069-23** An Ordinance amending Article 8-19(D) and Articles 17-11(I)(2) and 17-18 of the Zoning Ordinance to allow additional electronic message display signage including video displays (dynamic content) in association with a Civic Center in the Lexington Center Business (B-2b) Zone. (Lexington Center Corporation). Approval of the Staff Alternative Text 8-0 [Div. of Planning, Duncan]
- 3. 1060-23** An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$38,000 to provide funds for Council Capital Projects in the Div. of Traffic Engineering, and appropriating and re-appropriating funds, Schedule No. 21. [Div. of Budgeting, Lueker]
- 4. 1114-23** 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 2024 Schedule No. 19. [Div. of Budgeting, Lueker]
- 5. 1071-23** An Ordinance adopting and enacting a republished Code of Ordinances for the Lexington-Fayette Urban County Government; further adopting and enacting a republished Zoning Ordinance for the Lexington-Fayette Urban County Government; providing for

the repeal of certain Ordinances not included therein; providing a penalty for the violation thereof; providing for the manner of amending such codes; and providing when such Codes and this Ordinance shall become effective. [Council Clerk's Office, Allan]

6. **1083-23** An Ordinance amending the authorized strength by extending one (1) unclassified position of Administrative Officer, Grade 523E, for a term of four (4) years beginning November 2, 2023 and ending November 2, 2027, in the Div. of Waste Management, effective upon passage of Council. [Div. of Human Resources, Walters]

V. Ordinances – First Reading

7. **1108-23** An Ordinance modifying conditional zoning restrictions in a Neighborhood Business (B-1) zone for 0.485 net (0.666 gross) acres, for property located at 509 East Main St. (509 E. Main, LLC; Council District 3.) Approval 6-2 (**Public Hearing On November 28, 2023 at 5:30 p.m.**) [Div. of Planning, Duncan]
8. **1141-23** 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 2024 Schedule No. 22. [Div. of Budgeting, Lueker]
9. **1124-23** An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$62,360 to provide funds for Council Capital Projects in the Divs. of Traffic Engineering and Parks and Recreation, and appropriating and re-appropriating funds, Schedule No. 24. [Div. of Budgeting, Lueker]
10. **1105-23** An Ordinance amending Ordinance No. 117-2023, amending the authorized strength by creating one (1) Classified Civil Service Position of Public Service Supervisor, Grade 517N, in the Div. of Waste Management, effective July 1, 2023. [Div. of Human Resources, Walters]

VI. Resolutions – Second Reading

1. **1062-23** A Resolution accepting the bids of Herrick Co., Inc. and K. Hayes Limited, establishing WWTP Pumping Station Diagnostic and Repair Services Unit Price Contracts for the Div. of Water Quality. (2 Bids) [Martin]

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2. **1107-23** A Resolution ratifying the Permanent Classified Civil Service Appointments of: Aldo Gomez, Language Access Specialist, Grade 523E, \$2,657.84 biweekly in the Office of the Mayor, effective October 10, 2023, Gaston Ngandu Sankayi, Language Access Specialist, Grade 523E, \$3,089.92 biweekly in the Office of the Mayor, effective October 24, 2023, Jaiden Brown, Customer Service Specialist, Grade 511N, \$17.576 hourly in the Div. of LexCall, effective October 24, 2023, Jeffinisha Cobb, Customer Service Supervisor, Grade 520E, \$2,287.04 biweekly in the Div. of LexCall, effective October 24, 2023, Haley Ogden, Revenue Compliance Auditor, Grade 521N, \$29.079 hourly in the Div. of Revenue, effective October 10, 2023, Eden Vanhook, Administrative Specialist, Grade 516N, \$23.961 hourly in the Div. of Waste Management, effective October 10, 2023, Daniel Partin, Human Resources Analyst, Grade 521E, \$2,331.76 biweekly in the Div. of Human Resources, effective October 24, 2023, Judith Cox, Assistant Records Custodian, Grade 514N, \$22.241 hourly in the Div. of Police, effective October 10, 2023, Jordan Stewart, Staff Assistant, Grade 509N, \$17.304 hourly in the Div. of Community and Resident Services, effective November 1, 2023, Nickolas Porter, Accountant, Grade 518N, \$25.300 hourly in the Div. of Grants and Special Programs, effective October 10, 2023. [Div. of Human Resources, Walters]
3. **0947-23** A Resolution amending Resolution No. 426-2023 to allow for the Mayor's designee to sign the Multi-Year Platform Agreement and any other necessary Agreement with Cayan LLC, for Merchant Processing Services at the City Employee Pharmacy; amending the costs to \$2,000, plus additional costs based upon the volume of credit card transactions; and ratifying the execution of any Agreement contemplated herein by the Mayor's designee which may have occurred prior to the passage of this Resolution. [Div. of Revenue, Holbrook]
4. **1040-23** 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 stormwater improvements at 827 Lane Allen Rd. and 1900 Garden Springs Dr., a Remedial Measures Project required by the Consent Decree, at a cost not to exceed \$223,400. [Div. of Water Quality, Martin]
5. **1043-23** A Resolution authorizing the Div. of Water Quality, on behalf of the Urban County Government, to purchase Supervisory Control and Data Acquisition (SCADA) Citect/Historian Support Services for the Town Branch and West Hickman Waste Water Treatment

Plants and Pump Stations, from ATR Distributing Co, Inc., a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with ATR Distributing Co, Inc. related to the procurement, at a cost not to exceed \$56,587.20. [Div. of Water Quality, Martin]

- 6. 1049-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with the Lyric Theatre and Cultural Arts Center Inc., for the operation of the Lyric Theatre, at a cost not to exceed \$127,500. [Mayor's Office, Lyons]
- 7. 1053-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet seeking an award of \$95,164 in Federal funds from the 2020 Project Safe Neighborhood Grant, which shall be used for the purchase of equipment and payment of overtime for targeted enforcement to address violent crime in FY 24, to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, the acceptance of which does not obligate the Urban County Government to the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget for these Grants. [Div. of Police, Weathers]
- 8. 1056-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Quality Counts, LLC (awarded pursuant to RFP 39-2023), to evaluate approximately 1,100 centerline miles of city streets and county roads to ensure all horizontal curves are signed according to current regulations, at a cost not to exceed \$137,500. [Div. of Traffic Engineering, Neal]
- 9. 1061-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement related to Neighborhood Development Funds with Bluegrass Families First, Inc. (\$900) and Artistic Hands Shaping a New Society (AHSANS) Corporation (\$1,350), for the Office of the Urban County Council, at a cost not to exceed the sum stated. [Council Office, Thompson]
- 10. 1065-23** A Resolution repealing, reorganizing, revising, and readopting Appendix A - Rules and Procedures of the Lexington-Fayette Urban County Council, to the Code of Ordinances of the Lexington-Fayette Urban County Government, setting forth the following: the organization of Council, including the duties,

responsibilities, appointment, removal and other aspects of the positions of Vice-Mayor, members of Council, Council Administrator, Council Core Staff, and Council Legislative Aides; procedures for legislative workflow including the preparation and introduction of legislation; Council meeting rules and procedures; rules of debate and other parliamentary procedures; voting requirements for Council Members; Council Committee structure, Council Committee Chairs, and the rules and procedures relating thereto; and policies and procedures for the Council Office, including the utilization of government resources; and adopting supplements to Appendix A relating to the role of the Citizens' Advocate, Council guidelines for use of LFUCG Depts., Neighborhood Development Funds and Council Capital Projects, and Council best practices. [Council Office, Thompson]

- 11. 1021-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute the Flexible Spending Benefits Plan with Chard, Snyder & Associates, Inc., for the purpose of allowing LFUCG employees to elect various benefit options on a pre-tax basis within the meaning of Section 125 of the Internal Revenue Code, effective January 1, 2024. [Div. of Human Resources, Walters]
- 12. 1070-23** A Resolution reallocating a total of \$203,227.94 in Federal funds (American Rescue Plan Act of 2021) (Resolution No. 370-2022), previously awarded to workforce development partners that failed to fully expend their funds, toward other workforce needs and opportunities, which shall include updates to the Charles Young Center (\$25,161.11) and Davis Park (\$53,066.83), and further authorizing the Mayor to execute Agreements with: (1) Child Care Council of Ky., Inc. (\$50,000.00), (2) Jubilee Jobs of Lexington, Inc. (\$18,750.00), (3) Lexington Rescue Mission, Inc. (\$18,750.00), (4) Opportunity Workshop of Lexington, Inc. (\$18,750.00), and (5) Home Builders Association of Lexington, Inc. (\$18,750.00), to fund additional workforce needs and opportunities, and authorizing the Mayor or her designee to execute any documents related to the use of these funds. [Mayor's Office, Glasscock]
- 13. 1080-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Ky. House Bill (HB) 1 County Clerks Election Equipment Grant Application for up to \$378,484.54 in HB 1 Project Funds with the Dept. for Local Government (DLG) for election equipment for the County Clerk, to provide additional information and execute any documents which

are deemed necessary by DLG to carry out this project, and to accept this Grant if the application is approved; and authorizing the Mayor to transfer unencumbered funds within the Grant Budget. [Div. of Grants and Special Programs, Reynolds]

- 14. 1082-23** A Resolution authorizing the Div. of Central Purchasing to purchase Program development and implementation consulting services from BBC Research & Consulting, Inc., a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with BBC Research & Consulting, Inc., related to the procurement. [Div. of Procurement, Slatin]

VII. Resolutions – First Reading

- 15. 1129-23** A Resolution accepting the bid of Campus Communications Group, Inc., in accordance with the provisions of Ordinance No. 69-2016, creating and offering for sale a short term 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 Campus Communications Group, Inc., incorporating the terms and conditions of Ordinance No. 69-2016. (1 Bid) [Slatin]
- 16. 1130-23** A Resolution ratifying the Permanent Classified Civil Service Appointment of: Jeffrey Smith, Public Service Worker, Grade 508N, \$16.932 hourly in the Div. of Parks and Recreation, effective October 24, 2023. [Div. of Human Resources, Walters]
- 17. 1009-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Memorandum of Agreement with Blue Grass Community Foundation Inc., to support the development of a master plan for Kelley's Landing, as well as a marketing and public relations campaign related to the project, for the Div. of Parks & Recreation. [Div. of Parks and Recreation, Conrad]
- 18. 1078-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the first Amendment to the first Renewal Agreement with Mackey Group, LLC., d/b/a Wiser Strategies, increasing the Contract price by an amount not to exceed \$20,000, for an increase in advertising related to Safe Streets messaging, for the Dept. of Environmental Quality and Public Works, raising the total Contract price from \$360,000 to \$380,000. [Div. of Environmental Services, Carey]

- 19. 1088-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Lexington Christian Academy, to host the annual Kiddie Kapers Holiday Show, at a cost not to exceed \$1,500. [Div. of Parks and Recreation, Conrad]
- 20. 1089-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Renewal Agreement with Ky. Dept. of Housing, Buildings, & Construction, to retain responsibility for commercial project permitting and inspections within Lexington-Fayette County. [Div. of Building Inspection, Carpenter]
- 21. 1090-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Renewal Contract with Ky. Dept. of Housing, Buildings, & Construction, to retain responsibility for commercial and residential HVAC project permitting and inspections within Lexington-Fayette County. [Div. of Building Inspection, Carpenter]
- 22. 1091-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 (final) to the Agreement with Herrick Co., Inc., for the Hartland Pump Station No. 3 Replacement Project, decreasing the Contract price by \$149,904.76, from \$1,110,000.00 to \$960,095.24. [Div. of Water Quality, Martin]
- 23. 1098-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Economic Incentive Agreement with Keeneland Association, Inc., for the reimbursement of up to \$1,000,000 of public infrastructure costs related to its multi-million expansion project. [Mayor's Office, Atkins]
- 24. 1103-23** 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. 40-2023), with Champlin/Haupt Architects Inc. d/b/a EOP Architects, for professional design services of the New Senior & Therapeutic Center, for the Dept. of General Services, at a cost not to exceed \$736,133. [Div. of Facilities and Fleet Management, Baradaran]
- 25. 1104-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Economic Incentive Agreement with LSC Stadium Co., LLC, related to the construction of a stadium for professional soccer, to provide a 1% Occupational License Fee refund for certain employee withholdings for up to 10

years, support for the future issuance of an Industrial Revenue Bond which shall not exceed \$50 million or 15 years in length, and the reimbursement of up to \$1,000,000 of public infrastructure costs in the form of a forgivable loan, and further authorizing the Mayor to execute any additional necessary documents related to the Loan Agreement. [Mayor's Office, Atkins]

- 26. 1109-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Addendum No. 1 to the Agreement with the University of Ky. Research Foundation (UKRF), for the provision of evaluation services for year two of the expanded First Responders and Community Partners Overdose Prevention Project, at a cost not to exceed \$99,997. [Dept. of Social Services, Allen-Bryant]
- 27. 1110-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 1 with the Ky. Transportation Cabinet for acceptance of \$32,000 in Federal funds, under the Ky. Transportation Cabinet Surface Transportation Program (SLX), for the design phase of the Wilson Downing Intersection Improvements Project, the acceptance of which obligates the Urban County Government to the expenditure of \$8,000 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget for these Grants. [Div. of Engineering, Burton]
- 28. 1112-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept an award of \$1,300,000 in Federal funds for a three year period, from the Bureau of Justice Assistance's Comprehensive Opioid, Stimulant, and Substance Abuse Site-Based Program, in order to reduce the number of overdose fatalities, for the Div. of Fire and Emergency Services, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing and directing the Mayor to transfer unencumbered funds within the Grant Budget. [Div. of Fire and Emergency Services, Wells]
- 29. 1113-23** A Resolution authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute Contract Modification No. 5 with Strand Associates, Inc., increasing the Contract price by \$9,800 for additional design services for Town Branch Trail Phase VI, raising the total Contract price from \$1,194,174 to \$1,203,974. [Div. of Engineering, Burton]
- 30. 1119-23** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute and submit an application for an

encroachment permit to the Ky. Transportation Cabinet, to allow for the conversion of three concrete medians to beautification beds on North Broadway, at no cost to the Urban County Government. [Div. of Environmental Services, Carey]

- 31. 1125-23** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement related to Neighborhood Development Funds with International Book Project, Inc. (\$1,300); and Stonewall Elementary PTA (\$1,250), for the Office of the Urban County Council, at a cost not to exceed the sum stated. [Council Office, Hall]

VIII. Communications From The Mayor (Appointments)

- 1132-23** (1) Recommending the reappointments of Todd Clark and Pam Hricenak to the Agricultural Extension District Board, with both terms effective January 1, 2024 and expiring January 1, 2027;
(2) Recommending the appointments of Angela Coleman and Bangaly Savane to the Airport Board, with both terms effective January 1, 2024 and expiring January 1, 2028;
(3) Recommending the reappointments of Louetta Hurst, Hunter Porter, and Darryl Privott, to the Library Board of Advisors, with all terms effective January 1, 2024, and expiring January 1, 2028; and,
(4) Recommending the appointments of Jim Coleman, Council nominee, and JoJuana Leavell-Greene, Council nominee, filling the unexpired term of Helen Morrison, to the Rural Land Management Board, with terms expiring April 1, 2027, and April 1, 2026, respectively.

IX. Communications From The Mayor (Price Contracts)

- 1126-23** 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 Environmental Services - Bulk Printing - 118-2023 - Copy Express, Elite Graphics LLC, Warners Printing Service LLC, Accuprint Inc.

X. Communications From The Mayor (For Information Only)

- 1131-23** (1) Probationary Classified Civil Service Appointment of Julie Spotts, Administrative Specialist, Grade 516N, \$24.091 hourly in the Div. of Water Quality, effective November 20, 2023;

- (2) Probationary Classified Civil Service Appointment of Matthew Christopher, Vehicle & Equipment Technician Sr., Grade 519N, \$28.060 hourly in the Div. of Facilities and Fleet Management, effective November 6, 2023;
- (3) Probationary Classified Civil Service Appointment of Nicholas Clouse, Vehicle & Equipment Technician Sr., Grade 519N, \$27.460 hourly in the Div. of Facilities and Fleet Management, effective November 6, 2023;
- (4) Probationary Classified Civil Service Appointment of Padhraic Sweet, Vehicle & Equipment Technician Sr., Grade 519N, \$28.205 hourly in the Div. of Facilities and Fleet Management, effective November 6, 2023;
- (5) Probationary Classified Civil Service Appointment of Aaron Simon, Vehicle & Equipment Technician, Grade 517N, \$25.000 hourly in the Div. of Facilities and Fleet Management, effective November 6, 2023;
- (6) Probationary Classified Civil Service Appointment of Rita Ballard, Affordable Housing Specialist, Grade 518N, \$26.370 hourly in the Div. of Grants and Special Programs, effective November 6, 2023;
- (7) Probationary Classified Civil Service Appointment of Harold Baillie, Planner Principal, Grade 524E, \$2,934.72 biweekly in the Div. of Planning, effective November 6, 2023;
- (8) Sworn Reinstatement of Trevon Townsend, Community Corrections Officer, Grade 110N, \$24.628 hourly in the Div. of Community Corrections, effective October 24, 2023;
- (9) Probationary Sworn Appointment of Netoria Hughes, Community Corrections Sergeant, Grade 112N, \$31.908 hourly in the Div. of Community Corrections, effective October 23, 2023;
- (10) Probationary Sworn Appointment of Lennie Motley, Community Corrections Lieutenant, Grade 114E, \$3,005.23 biweekly in the Div. of Community Corrections, effective October 23, 2023;
- (11) Probationary Sworn Appointment of Charles Burton, Community Corrections Captain, Grade 115E, \$3,508.50 biweekly in the Div. of Community Corrections, effective October 23, 2023;
- (12) Unclassified Civil Service Voluntary Demotion of Chelanda Holliday, Administrative Specialist, Grade 516N, \$26.185 hourly in the Div. of Waste Management, effective October 23, 2023;
- (13) Unclassified Civil Service Appointment of Emily Corman-Howard, Educational Program Aide P/T, Grade 510N, \$17.978 hourly in the Div. of Youth Services, effective November 6, 2023;
- (14) Termination of Anthony Nesbitt, Equipment Operator in the Div. of Water Quality, effective October 13, 2023;

- (15) Resignation of Dylan Lecompte, Corrections Officer in the Div. of Community Corrections, effective September 25, 2023;
- (16) Resignation of Kenneth Farvour, Corrections Officer in the Div. of Community Corrections, effective September 25, 2023;
- (17) Resignations Alec Phillips, Corrections Officer in the Div. of Community Corrections, effective September 27, 2023;
- (18) Resignation of Diana Sizemore, Corrections Officer in the Div. of Community Corrections, effective September 29, 2023;
- (19) Resignation of Charles Hatton, Fleet Parts Specialist in the Div. of Facilities and Fleet Management, effective October 2, 2023;
- (20) Resignation of Harmon Clark, Corrections Officer in Div. of Community Corrections, effective October 6, 2023;
- (21) Resignation of Christopher Campbell, Corrections Officer in the Div. of Community Corrections, effective October 16, 2023;
- (22) Resignation of Autumn Lynn, Corrections Officer in the Div. of Community Corrections, effective October 17, 2023;
- (23) Resignation of Noah Delbridge, Public Service Worker Sr., in the Div. of Streets and Roads, effective October 18, 2023; and,
- (24) Resignation of Jenny Elliot, Corrections Officer in the Div. of Community Corrections, effective October 18, 2023.

XI. Fire/Police Discipline - NO

XII. Announcements

XIII. Public Comments

Adjournment